



PUBLIC NOTICE

Federal Communications Commission
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DA 08-2044

Released: September 4, 2008

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF
COUNTRY ROAD COMMUNICATIONS LLC TO OTELCO INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 08-169

Comments Due: September 18, 2008

Reply Comments Due: September 25, 2008

On August 18, 2008, Country Road Communications LLC (Country Road) and Otelco Inc. (Otelco) filed an application pursuant to section 63.03 of the Commission's rules requesting approval for the transfer of control of CRC Communications of Maine, Inc. d/b/a Pine Tree Networks (CRC), Communications Design Acquisition Corporation d/b/a Pine Tree Networks (Communications Design), The Granby Telephone & Telegraph Company of Massachusetts, Inc. (Granby Telephone), The Pine Tree Telephone & Telegraph Co., Inc. d/b/a Pine Tree Networks (Pine Tree Telephone), Saco River Telegraph and Telephone Company d/b/a Pine Tree Networks (Saco River Telephone), and War Acquisition Corp. d/b/a War Telephone Company (War Telephone) (collectively, Country Road Companies, all together, Applicants) from Country Road to Otelco.¹

Country Road, a Maine corporation, is a holding company that operates through the Country Road Companies in rural areas of Maine, Massachusetts, and West Virginia. Its rural incumbent local exchange carrier (LEC) U.S.-based subsidiaries are: Pine Tree Telephone with approximately 6,141 local lines in New Gloucester and Gray (Cumberland County), Maine; Saco River Telephone with approximately 8,280 local lines in Buxton, Hollis, and Waterboro (York County), Maine; War Telephone with approximately 1,389 local lines in War (McDowell County), West Virginia; and Granby Telephone with approximately 2,596 local lines in Granby (Hampshire County), Massachusetts. CRC provides competitive LEC and interexchange services to approximately 5,600 lines in Portland and Lewiston, Maine. Pine Tree Telephone also provides interexchange service in New Gloucester and Gray (Cumberland County), Maine through its affiliate, Communications Design.

Otelco, a publicly-held Delaware corporation, is the indirect parent of six incumbent LECs serving rural areas of North Central Alabama, Central Missouri, and Maine,² a competitive LEC serving

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing an application for transfer of control associated with authorization for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications. Applicants filed a supplement to their domestic section 214 application on September 2, 2008.

² Otelco wholly owns the following incumbent LECs: (1) Otelco Telephone LLC, serving Blount County, Alabama; (2) through Page & Kiser Communications, Inc., Blountsville Telephone Company, Inc., serving two exchanges in Blount County, Alabama; (3) through Brindlee Holdings LLC, Brindlee Mountain Telephone Company, serving

the incumbent LEC's (FairPoint) territory in Portland, Lewiston, Augusta, Waterville, Bangor, and Ellsworth, Maine,³ and two interexchange carriers serving customers in Maine and Alabama.⁴ Applicants state that no stockholder holds a ten percent or greater interest in Otelco.

Pursuant to the proposed transaction, Otelco will purchase all of the issued and outstanding capital stock of Pine Tree Holdings, Inc., Granby Holdings, Inc. and War Holdings, Inc., each of which are wholly owned subsidiaries of Country Road. As a result, Otelco will have full indirect ownership of the Country Road Companies. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(iii) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.⁵

Application Filed for the Transfer of Control of Country Road Communications LLC to Otelco Inc., WC Docket No. 08-169 (filed Aug. 18, 2008).

GENERAL INFORMATION

The Wireline Competition Bureau finds, upon initial review, that the transfer of control identified herein is acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer of control application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 C.F.R. § 63.03(a), interested parties may file comments **on or before September 18, 2008**, and reply comments **on or before September 25, 2008**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.⁶ Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's eRulemaking Portal. See 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall

three exchanges in Blount, Marshall, Morgan, and Cullman counties, Alabama; (4) through Hopper Holding Company, Inc., Hopper Telecommunications, Inc., serving two exchanges in Blount and Etowah Counties, Alabama; (5) through Mid-Missouri Holding Corp, Mid-Missouri Telephone Company, serving twelve exchanges in Cooper, Moniteau, Morgan, Pettis, and Saline Counties, Missouri; (6) through Mid-Maine Communications, Inc., Mid-Maine Telecom, Inc., serving exchanges in Levant, Plymouth, Alton, Old Town Rural, and West Enfield, Maine.

³ Otelco wholly owns Mid-Maine Telplus d/b/a Mid-Maine Long Distance (Mid-Maine Telplus) that provides competitive LEC services in the listed areas in Maine. Applicants state that Mid-Maine Telplus does not provide service in the exchange areas served by Country Road's Maine incumbent LECs, and CRC does not provide service in the exchanges served by Otelco's Maine incumbent LEC. Applicants state that CRC is authorized by the Maine Public Utilities Commission to provide competitive LEC services in the telephone exchanges served by Otelco's Mid-Maine Telecom, Inc. as part of its state-wide authorization. They further state that CRC, however, does not have an interconnection agreement with Mid-Maine Telecom, Inc., and that CRC does not actually provide service in the exchanges served by Mid-Maine Telecom, Inc.

⁴ Otelco owns 100 percent of Otelco Telecommunications LLC that serves the customers of Otelco's four incumbent LECs in Alabama. Mid-Maine Telplus also offers intexchange services to its competitive LEC subscribers and to the local subscribers of Mid-Maine Telecom, Inc.

⁵ 47 C.F.R. § 63.03(b)(2)(iii).

⁶ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

be filed electronically”); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Comments may be filed electronically using the Internet by accessing the ECFS, <http://www.fcc.gov/cgb/ecfs/>, or the Federal eRulemaking Portal, <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, “get form.” A sample form and directions will be sent in response.

In addition, email one copy of each pleading to each of the following:

- 1) The Commission’s duplicating contractor, Best Copy and Printing, Inc., fcc@bcpiweb.com; phone: 202 / 488-5300; fax: 202 / 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, tracey.wilson-parker@fcc.gov;
- 3) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 4) David Krech, International Bureau, Policy Division, International Bureau, david.krech@fcc.gov;
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission’s duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; telephone: 202 / 488-5300; fax: 202 / 488-5563; email: fcc@bcpiweb.com; url: www.bcpiweb.com.

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For further information, please contact Tracey Wilson-Parker at 202 / 418-1394 or Dennis Johnson at 202 / 418-0809.

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