

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
<b>ESTATE OF GALEN NORSWORTHY</b>	)	WC Docket No. _____
<b>ISABEL LITA NORSWORTHY, EXECUTRIX</b>	)	
Transferor	)	
	)	
<b>ERIC N. VOTAW</b>	)	
Transferee	)	
	)	
For Transfer of Control of Ducor Telephone Company	)	
d/b/a Varcomm, which provides interstate interexchange	)	
and exchange access services in California pursuant to a	)	
domestic Section 214 authorization	)	

TO: Wireline Competition Bureau

**APPLICATION FOR STREAMLINED CONSENT TO TRANSFER OF CONTROL  
OF DOMESTIC SECTION 214 AUTHORIZATION**

The Estate of Galen Norsworthy, Isabel Lita Norsworthy, Executrix (“Norsworthy Estate” or “Transferor”) and Eric N. Votaw (“Mr. Votaw” or “Transferee”) hereby request Commission approval of the transfer of control of Ducor Telephone Company d/b/a Varcomm (“Ducor”; FRN: 0001-5467-46) from the Norsworthy Estate to Mr. Votaw.

At the time of his death on May 9, 2020, Mr., Galen Norsworthy owned a controlling 67.42 percent interest in the stock of Varcomm Holdings Inc. (“Varcomm”), the parent company of Ducor, and was in the process of developing arrangements to transfer majority ownership and control of Varcomm (and therefore control of Varcomm’s wholly-owned subsidiary Ducor) to Mr. Votaw, the Chief Executive Officer of the companies. After the subsequent discovery of Mr. Norsworthy’s will and the appointment of his widow Isabel Lita Norsworthy as the Executrix of the Norsworthy Estate, the Commission approved the involuntary transfer of control of Varcomm,

Ducor and Ducor's Domestic Section 214 Authorization to the Norsworthy Estate. Public Notice (*Notice of Domestic Section 214 Authorization Granted*), WC Docket No. 20-353, DA 20-1453, released December 4, 2020. Isabel Lita Norsworthy, as Executrix of the Norsworthy Estate, has now determined to complete the arrangements contemplated by Mr. Norsworthy, that will transfer control of Varcomm and Ducor to Mr. Votaw.

The specific transaction will entail the redemption by Varcomm of the common stock (its only class of stock) owned by the Norsworthy Estate (67.42 percent) and of the common stock owned by Ronald L. Roome (19.00 percent). As a result of this redemption, the Varcomm common stock currently owned by Mr. Votaw (7.87 percent) will now constitute a controlling 55.00 percent interest in Varcomm's common stock. In addition, the Varcomm common stock currently owned by Ms. Jenifer Vellucci, the Chief Financial Officer of Varcomm and Ducor (5.71 percent), will now constitute a 45.00 percent interest in Varcomm's common stock.

Ducor is a California corporation that provides local exchange service and exchange access service as an incumbent local exchange carrier ("ILEC") in three rural exchanges (approximately 985 total access lines) that serve the communities of Ducor (2010 population: 612) and Kennedy Meadows (2010 population: 28) in Tulare County in south central California, and Rancho Tehama Reserve (2010 population: 1,485) in Tehama County in northern California.

This application qualifies for streamlined processing pursuant to Section 63.03(b)(1)(ii) of the Commission's Rules because Mr. Votaw (while a management employee of a telecommunications company) is not himself a telecommunications provider. In addition, Ducor is a very small rural ILEC that has a market share in the interstate, interexchange market of far less than 10 percent, as well as far fewer than two percent of the nation's subscriber lines installed in the aggregate nationwide.

In accordance with the requirements of Section 63.04(a) of the Commission's Rules, the applicants submit the following information:

**(1) Name, address and telephone number of each applicant:**

**Transferor:**

Estate of Galen Norsworthy  
Lita Norsworthy, Executrix  
c/o Ducor Telephone Company  
24373 Avenue 56 (P.O. Box 700)  
Ducor, California 93218  
Telephone: (559) 534-2211  
Facsimile: (559) 534-2160

**Transferee:**

Eric N. Votaw  
c/o Ducor Telephone Company  
24373 Avenue 56 (P.O. Box 700)  
Ducor, California 93218  
Telephone: (559) 534-2211  
Facsimile: (559) 534-2160

**(2) Government, state or territory under the laws of which each corporate or partnership applicant is organized:**

Ducor Telephone Company d/b/a Varcomm is a California corporation.

Varcomm Holdings Inc. is a California Corporation.

**(3) Name, title, post office address, and telephone number of the officer or contact person to whom correspondence concerning the application is to be addressed:**

**For Transferor:**

Estate of Galen Norsworthy  
Isabel Lita Norsworthy, Executrix  
c/o Ducor Telephone Company  
24373 Avenue 56 (P.O. Box 700)  
Ducor, California 93218  
Telephone: (559) 534-2211  
Facsimile: (559) 534-2160

**For Transferee:**

Eric N. Votaw  
 c/o Ducor Telephone Company  
 24373 Avenue 56 (P.O. Box 700)  
 Ducor, California 93218  
 Telephone: (559) 534-2211  
 Facsimile: (559) 534-2160

With a copy to Counsel:

Gerard J. Duffy  
 Blooston, Mordkofsky, Dickens, Duffy & Prendergast, LLP  
 2120 L Street, N.W. (Suite 300)  
 Washington, D.C. 20037  
 Telephone: (202) 659-0830  
 Facsimile: (202) 828-5568

- (4) **Name, address, citizenship and principal business of any person or entity that directly owns at least ten (10) percent of the equity of the applicant, and the percentage of equity owned by each of those entities:**

**Ducor Telephone Company (Before and After Transfer of Control)**

The name, address, citizenship and principal business of the only entity that owns at least ten (10) percent of the equity and voting power of Ducor Telephone Company d/b/a Varcomm both before and after the proposed transfer of control are

<u>Name &amp; Address</u>	<u>Voting &amp; Equity</u>	<u>Citizenship</u>	<u>Principal Business</u>
Varcomm Holdings Inc. 24373 Avenue 56 Ducor, CA 93218	100.00%	California Corporation	Telecommunications

**Varcomm Holdings Inc. (Before Transfer of Control)**

The names, addresses, citizenship and principal businesses of the entities that owned at least ten (10) percent of the equity and voting power of Varcomm Holdings Inc. before the proposed transfer of control are:

<u>Name &amp; Address</u>	<u>Voting &amp; Equity</u>	<u>Citizenship</u>	<u>Principal Business</u>
Estate of Galen Norsworthy Isabel Lita Norsworthy, Executrix 24373 Avenue 56 Ducor, CA 93218	67.40%	California Estate	Telecommunications
Ronald L. Roome 24373 Avenue 56 Ducor, CA 93218	19.00%	U.S.A.	Telecommunications

**Varcomm Holdings Inc. (After Proposed Transfer of Control)**

The names, addresses, citizenship and principal businesses of the entities that own at least ten (10) percent of the equity and voting power of Varcomm Holdings Inc. after the proposed transfer of control are:

<u>Name &amp; Address</u>	<u>% Voting &amp; Equity</u>	<u>Citizenship</u>	<u>Principal Business</u>
Eric N. Votaw 24373 Avenue 56 Ducor, CA 93218	55.00%	U.S.A.	Telecommunications
Jenifer Vellucci 24373 Avenue 56 Ducor, CA 93218	45.00%	U.S.A.	Telecommunications

No other individual or entity owns or controls ten (10) percent or more of the equity or voting power of Varcomm Holdings Inc. or Ducor Telephone Company before or after the involuntary transfer of control.

**(5) Certification pursuant to 47 C.F.R. §§1.2001 through 1.2003 that no party to the application is subject to denial of Federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988.**

The Estate of Galen Norsworthy (Isabel Lita Norsworthy, Executrix) and Eric N. Votaw certify, pursuant to 47 C.F.R. §§1.2001 through 1.2003, that no party to the present application is subject to denial of Federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988.

**(6) Description of the transaction:**

Varcomm Holdings Inc. is redeeming the stock of the Estate of Galen Norsworthy (67.40 percent) and Ronald R. Roome (19.00 percent). When the proposed transaction is completed and the common stock of the Norsworthy Estate and Ronald L. Roome are redeemed, 55.00 percent of the remaining Varcomm common stock will be held by Eric N. Votaw (currently a 7.87 percent stockholder) and 45.00 percent by Jenifer Vellucci (currently a 5.71 percent stockholder). Ownership and control of 55.00 percent of Varcomm's common stock will give Mr. Votaw control of Ducor Telephone Company and its Domestic Section 214 Authorization.

**(7) Description of the geographic areas in which the transferor and transferee (and their affiliates) offer domestic telecommunications services, and what services are provided in each area:**

**Areas and Services of Varcomm Holdings Inc.**

Varcomm Holdings Inc. is a holding company that does not directly provide telecommunications services.

**Areas and Services of Ducor Telephone Company and Affiliates.**

Ducor provides local exchange service and exchange access service as an ILEC in a California study area (Study Area Code 542313) comprised of three rural exchanges (approximately 985 total access lines) that serve the communities of Ducor (2010 population: 612) and Kennedy Meadows (2010 population: 28) in Tulare County in south central California, and Rancho Tehama Reserve (2010 population: 1,485) in Tehama County in northern California.

Varcomm Broadband, Inc., a California corporation and wholly-owned subsidiary of Varcomm Holdings Inc., provides Internet access and associated broadband services in Ducor, Kennedy Meadows, and Rancho Tehama Reserve, California.

**(8) Statement as to how the application fits into one or more of the presumptive streamlined categories in section 63.03 or why it is otherwise appropriate for streamlined treatment:**

This application qualifies for streamlined processing pursuant to Section 63.03(b)(1)(ii) of the Commission's Rules because Mr. Votaw (a management employee of a telecommunications company) is not himself a telecommunications provider. Applicants also note that Ducor is a small rural ILEC with a market share in the interstate, interexchange market of far less than 10 percent, and with far fewer than two percent of the nation's subscriber lines installed in the aggregate nationwide.

**(9) Identification of all other Commission applications related to the same transaction:**

Applications are being prepared and filed for Commission consent to the transfer of control of the following wireless licenses: Common Carrier Point-to-Point Microwave Service Stations WPNB545, Ducor (Tulare County), CA; WPNB546, Bakersfield (Kern County), CA; WPNB547, Ridgecrest (Tulare County), CA; WPNL467, Kennedy Meadows (Tulare County), CA; WRDH503, Gerber (Tehama County), CA; and WRDH504, Rancho Tehama Reservation (Tehama County), CA; and Conventional Industrial/Business Pool Service Station WQNS817, Corning (Tehama County), CA.

**(10) Statement of whether the applicants are requesting special consideration because either party to the transaction is facing imminent business failure:**

No party to the transaction is facing imminent business failure at this time. Therefore, the applicants are not requesting special consideration because a party to the transaction is facing imminent business failure.

**(11) Identification of any separately filed waiver requests being sought in conjunction with the transaction:**

No separately filed waivers or waiver requests are being sought in conjunction with the proposed transaction.

**(12) Statement showing how grant of the application will serve the public interest, convenience and necessity, including any additional information that may be necessary to show the effect of the proposed transaction on competition in domestic markets:**

Approval of the proposed transfer of control will allow Ducor to continue providing quality voice and broadband services at affordable rates to its rural service areas during the foreseeable future. Eric N. Votaw, the present Chief Executive Officer of Varcomm and Ducor, and Jenifer Vellucci, their current Chief Financial Officer, will now be the owners of the companies which they have been managing successfully since 2017.

**Conclusion**

In light of the foregoing facts and public interest considerations, the Commission is respectfully requested to approve the transfer of control of Varcomm Holdings Inc., and ultimately the Domestic Section 214 Authorization of Ducor Telephone Company, d/b/a Varcomm, from the Estate of Galen Norsworthy (Isabel Lita Norsworthy, Executrix) to Eric N. Votaw.

The Estate of Galen Norsworthy (Isabel Lita Norsworthy, Executrix) and Eric N. Votaw hereby certify, pursuant to 47 C.F.R. §§1.2001 through 1.2003, that no party to the present application is subject to denial of Federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988.

Respectfully submitted,

**ESTATE OF GALEN NORSWORTHY**

**ERIC N. VOTAW**

Signature: Isabel Lita Norsworthy  
Isabel Lita Norsworthy, Executrix

Signature: Eric N. Votaw  
Eric N. Votaw

Date: 1/25/2021

Date: 1/25/2021