

**INTERNATIONAL SECTION 214 AUTHORIZATIONS
FOR ASSIGNMENT OR
TRANSFER OF CONTROL
FCC FORM 214TC
FOR OFFICIAL USE ONLY**

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:

EOT-Blue Mountain Transfer of Control Application

1. Legal Name of Applicant			
Name:	Blue Mountain Networks LLC	Phone Number:	212-653-0343
DBA Name:		Fax Number:	
Street:	219 Main Street P.O. Box 735	E-Mail:	Fnisar@zrfpartners.com
City:	Chatham	State:	NJ
Country:	USA	Zipcode:	07928 -
Attention:	Sardar Faisal Nisar		
2. Name of Contact Representative			
Name:	Jennifer L. Kostyu	Phone Number:	202-783-4141
Company:	Wilkinson Barker Knauer, LLP	Fax Number:	202-783-5851
Street:	1800 M St., NW Suite 800N	E-Mail:	jkostyu@wbklaw.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036-
Attention:		Relationship:	Legal Counsel

CLASSIFICATION OF FILING

3. Choose the button next to the classification that best describes this filing. Choose only one.	
<input type="radio"/>	a. Assignment of Section 214 Authority
An Assignment of an authorization is a transaction in which the authorization, or a portion of it, is assigned from one entity to another. Following an assignment, the authorization will usually be held by an entity other than the one to which it was originally granted. (See Section 63.24(b).)	
<input checked="" type="radio"/>	b. Transfer of Control of Section 214 Authority
A Transfer of Control is a transaction in which the authorization remains held by the same entity, but there is a change in the entity or entities that control the authorization holder. (See Section 63.24(c).)	
<input type="radio"/>	c. Notification of Pro Forma Assignment of Section 214 Authority (No fee required)
<input type="radio"/>	d. Notification of Pro Forma Transfer of Control of Section 214 Authority (No fee required)
Date of Consummation: Must be completed if you select c or d.	

4. File Number(s) of Section 214 Authority(ies) for Which You Seek Consent to Assign or Transfer Control.							
Note: If the Section 214 Authorization Holder whose authority is being assigned or transferred does not have an "ITC" File No. under which it is operating, contact the Help Desk for assistance before proceeding further with this application. You cannot enter an "ITC-ASG" or "ITC-T/C" File No. in response to this question. Your response must specify one or more "ITC" File Nos. Relevant "ITC-ASG" or "ITC-T/C" File Nos. should be listed only in Attachment 1 in response to Question 10.							
File Number:	File Number:	File Number:	File Number:	File Number:	File Number:	File Number:	File Number:
ITC2142000111300654							

5. Name of Section 214 Authorization Holder

Name:	Eastern Oregon Telecom, LLC	Phone Number:	541-289-7010
DBA Name:		Fax Number:	
Street:	2180 SE Kelli Blvd. P.O. Box 848	E-Mail:	jfranel@eotnet.us
City:	Hermiston	State:	OR
Country:	USA	Zipcode:	97838 -
Attention:	Joseph Franel		

6. Name of Assignor / Transferor

Name:	Eastern Oregon Holding Company, LLC	Phone Number:	541-289-7010
DBA Name:		Fax Number:	
Street:	2180 SE Kelli Blvd. P.O. Box 848	E-Mail:	jfranel@eotnet.us
City:	Hermiston	State:	OR
Country:	USA	Zipcode:	97838 -
Attention:	Joseph Franel		

7. Name of Assignee / Transferee

Name:	Blue Mountain Networks LLC	Phone Number:	212-653-0343
DBA Name:		Fax Number:	
Street:	219 Main Street P.O. Box 735	E-Mail:	Fnisar@zrfpartners.com
City:	Chatham	State:	NJ
Country:	USA	Zipcode:	07928 -
Attention:	Sardar Faisal Nisar		

8a. Is a fee submitted with this application?

☒ If Yes, complete and attach FCC Form 159.

If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).

☐ Governmental Entity ☐ Noncommercial educational licensee ☐ Notification of Pro Forma (No fee required.)
☐ Other(please explain):

8b. You must file a separate application for each legal entity that holds one or more Section 214 authorizations to be assigned or transferred.

Fee Classification CUT - Section 214 Authority

9. Description (Summarize the nature of the application.)

Joint Application to Transfer Control of Domestic and International Section 214 Authorizations

10. In Attachment 1, please respond to paragraphs (c) and (d) of Section 63.18 with respect to the assignor/transferor and the assignee/transferee. Label your response "Answer to Question 10".

11. Does any entity, directly or indirectly, own at least ten (10) percent of the equity of the assignee/transferee as determined by successive multiplication in the manner specified in the note to Section 63.18(h) of the rules? ☒ Yes ☐ No

If you answered "Yes" to this question, provide in Attachment 1, the name, address, citizenship, and principal businesses of each person or entity that directly or indirectly owns at least ten (10) percent of the equity of the assignee/transferee, and the percentage of equity owned by each of those persons or entities (to the nearest one percent). Label your response "Answer to Question 11."

12. Does the assignee/transferee have any interlocking directorates with a foreign carrier?

☐ Yes ☒ No

If you answered "Yes" to this question, identify each interlocking officer/director in Attachment 1. (See Section 63.09(g).) Provide the name and position/title of the individual or entity, the name of the foreign carrier, and the country in which the foreign carrier is authorized to operate. Label your response: "Answer to Question 12."

13. Provide in Attachment 1 a narrative of the means by which the proposed assignment or transfer of control will take place. In circumstances of a substantial assignment or transfer of control pursuant to Section 63.24(e), where the assignor seeks authority to assign only a portion of its U.S. international assets and/or customer base, please specify whether the assignor requests authority to continue to operate under any or all of its international Section 214 File Nos. after consummation; and, if so, please specify in Attachment 1 each File No. it seeks to retain in its own name. Label your response "Answer to Question 13."

Note: The assignor may retain any or all of its international Section 214 File Nos. In that case, the assignor will continue to hold the international section 214 authorizations that it specifies in response to this question. The ITC-ASG File No. that the Commission assigns to this application will, when granted, constitute Commission authorization of the proposed assignment of assets and /or customers from the assignor to the assignee. Unless Commission grant of the assignment application specifies otherwise, the assignee may provide the same services on the same routes as permitted under the assignor's Section 214 authorization(s), and the assignee may provide such service to any customers it may obtain in the ordinary course of business.

If this filing is not a notification of a *pro forma* assignment or *pro forma* transfer of control, please respond to Questions 14-20 below. (See Section 63.24(d).) Otherwise, you may proceed to Question 21 below.

14. Check "Yes" below if the assignee is a foreign carrier or if, upon consummation of the proposed assignment or transfer of control, the Section 214 holder would be affiliated with a foreign carrier. (See Section 63.18 (i).) The terms "foreign carrier" and "affiliated" are defined in Section 63.09 (d) & (e) of the rules respectively.

☐ Yes ☒ No

If you answered "Yes" to this question, please specify in Attachment 1 each foreign country in which the assignee is a foreign carrier or in which the Section 214 holder, upon consummation, would be affiliated with a foreign carrier. Label your response, "Answer to Question 14."

15. If this application is granted and the proposed assignment or transfer is consummated, would the Section 214 holder be authorized to provide service to any destination country for which any of the following statements is true?

☐ Yes ☒ No

- (1) The Section 214 holder is a foreign carrier in that country; or
- (2) The Section 214 holder controls a foreign carrier in that country; or
- (3) Any entity that owns more than 25 percent of the Section 214 holder, or that controls the Section 214 holder, controls a foreign carrier in that country.
- (4) Two or more foreign carriers (or parties that control foreign carriers) own, in the aggregate, more than 25 percent of the Section 214 holder and are parties to, or the beneficiaries of, a contractual relation (e.g., a joint venture or market alliance) affecting the provision or marketing of international basic telecommunications services in the United States.

If you answered "Yes" to this question, please specify in Attachment 1 each foreign carrier and country for which any of the above statements would be true. Label your response, "Answer to Question 15."

16. If you answered "Yes" to question 14, do you request classification of the Section 214 holder as a "non-dominant" carrier, upon consummation of the proposed transaction, between the United States and *any or all* countries listed in response to Question 14? See Section 63.10 of the rules.

☐ Yes ☒ No

If you answered "Yes" to this question, you must provide information in Attachment 1 to demonstrate that the Section 214 holder would qualify for non-dominant classification under Section 63.10 of the rules on each U.S.-destination country route where it would be a foreign carrier, or would be affiliated with a foreign carrier and for which you request non-dominant classification. Label your response, "Answer to Question 16."

17. If you answered "Yes" to question 14 and you have not provided information in response to Question 16 to demonstrate that the Section 214 holder would qualify for non-dominant classification under Section 63.10 of the rules on each U.S.-destination route where it would be a foreign carrier, or be affiliated with a foreign carrier, check "Yes" below to certify that the assignee/transferee agrees to comply with the dominant carrier safeguards in Section 63.10 (c) & (e) of the rules in the provision of international service between the United States and any foreign country(ies) for which you have not provided the required information.

☐ Yes, I certify that I agree to comply with the dominant carrier safeguards in Section 63.10 (c) & (e) of the rules in my provision of international service between the United States and the following foreign country(ies):

☒ No, Does not apply.

18. If you answered "Yes" to question 15, and if you have not provided information in response to question 16 to demonstrate that the Section 214 holder would qualify for non-dominant classification under Section 63.10 of the rules in its provision of service to each of the countries identified in response to question 15, the Section 214 holder may not be eligible to provide international telecommunications service between the U.S. and each such country following consummation of the assignment or transfer. In order to determine whether the public interest would be served by authorizing service on these U.S.-destination country routes, the assignee/transferee must provide information, in Attachment 1, to satisfy one of the showings specified in Section 63.18(k) of the rules. Label your response, "Answer to Question 18."

19. *If the assignee, or the Section 214 holder that is the subject of this transfer of control application, is a provider of Commercial Mobile Radio Services, you need not answer this question.*

If any of the Section 214 authorization(s) that would be assigned or transferred, authorize the Section 214 holder to resell the international switched services of an unaffiliated U.S. carrier for the purpose of providing international telecommunications services to a country listed in response to question 14, and unless you have provided information in response to question 16 to demonstrate that the Section 214 holder would qualify for non-dominant classification under Section 63.10(a)(3) of the rules for each country, check "Yes" below to certify that the assignee/transferee will file the quarterly traffic reports required by Section 43.61(c) of the rules; and/or state in Attachment 1 that the foreign carrier(s) for which the applicant has not made a showing under Section 63.10(c)(3) do(es) not collect settlement payments from U.S. international carriers. (See Section 63.18(l).)

☐ Yes, I certify that I agree to comply with the quarterly traffic reporting requirements set forth in section 43.61(c) of the rules.

20. If the applicant desires streamlined processing pursuant to Section 63.12 of the rules, provide in Attachment 1 a statement of how the application qualifies for streamlined processing. (See Section 63.18(p).) Note that, if the application is being filed in connection with a sale of assets or reorganization of a carrier or its parent pursuant to the U.S. bankruptcy laws, the application may not be eligible for streamlined processing until final bankruptcy court approval of the proposed sale or reorganization.

Applicant certifies that its responses to questions 21 through 25 are true:

21. The assignee/transferee certifies that it has not agreed to accept special concessions directly or indirectly from a foreign carrier with respect to any U.S. international route where the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market and will not enter into any such agreements in the future.

☒ Yes ☐ No

22. By signing this application, the undersigned certify either (1) that the authorization(s) will not be assigned or that control of the authorization(s) will not be transferred until the consent of the Federal Communications Commission has been given, or (2) that prior Commission consent is not required because the transaction is subject to the notification procedures for *pro forma* transactions under Section 63.24 of the rules. The assignee/transferee also acknowledges that the Commission must be notified by letter within 30 days of a consummation or of a decision not to consummate. (See Section 63.24(e)(4).)

☒ Yes ☐ No

23. If this filing is a notification of a *pro forma* assignment or transfer of control, the undersigned certify that the assignment or transfer of control was *pro forma* and that, together with all previous *pro forma* transactions, does not result in a change in the actual controlling party.

☐ Yes ☐ No
☒ Not a Pro Forma

24. The undersigned certify that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.

☒ Yes ☐ No

25. The assignee/transferee certifies that neither it nor any other party to the application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. See Section 1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification.

☒ Yes ☐ No

CERTIFICATION

26. Printed Name of Assignor / Transferor Eastern Oregon Holding Company, LLC	29. Printed Name of Assignee / Transferee Blue Mountain Networks LLC
27. Title (Office Held by Person Signing) Chairman	30. Title (Office Held by Person Signing) Authorized Signatory
28. Signature (Enter the name of the person who will sign the paper version of this form for retention in their files)	31. Signature (Enter the name of the person who will sign the paper version of this form for retention in their files)

Joseph Franell

Sardar Faisal Nisar

**WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT
(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION
(U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).**

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THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

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

In the Matter of)
)
Blue Mountain Networks LLC)
<i>Transferee,</i>)
)
Eastern Oregon Holding Company, LLC)
<i>Transferor,</i>)
)
and)
)
Eastern Oregon Telecom, LLC)
<i>Licensee</i>)
)
Joint Application for Consent to Transfer)
Control of Domestic and International)
Authorizations Pursuant to Section 214 of the)
Communications Act of 1934, as Amended)

**JOINT APPLICATION TO TRANSFER CONTROL OF DOMESTIC AND
INTERNATIONAL SECTION 214 AUTHORIZATIONS**

Pursuant to Section 214 of the Communications Act of 1934, as amended (“the Act”),¹ and Sections 63.04, 63.18, and 63.24 of the Commission’s rules,² Blue Mountain Networks LLC (“Blue Mountain Networks” or “Transferee”) and Eastern Oregon Holding Company, LLC (“Eastern Oregon Holding” or “Transferor”) (the “Applicants”) request the Commission’s consent to transfer control of Eastern Oregon Telecom, LLC (“Eastern Oregon Telecom” or “Licensee”) from Eastern Oregon Holding to Blue Mountain Networks. Eastern Oregon

¹ 47 U.S.C. § 214.

² 47 C.F.R. §§ 63.04, 63.18, and 63.24.

Telecom holds international and domestic Section 214 authority. As further described below, the proposed transfer of control will serve the public interest.

Pursuant to Section 63.04(b), this Joint Application is being filed concurrently with the International Bureau and the Wireline Competition Bureau. The Applicants also request streamlined processing of the Joint Application pursuant to Sections 63.03(b) and 63.12 of the Commission's rules.³

I. DESCRIPTION OF THE PARTIES

A. The Transferor and Licensee

Eastern Oregon Telecom (FRN: 0005040092) is an Oregon limited liability company headquartered in Hemiston, Oregon. Eastern Oregon Telecom is a competitive local exchange carrier ("CLEC") providing local and long distance voice services, Internet access, and data services in and around Hermiston, Umatilla, Irrigon, Boardman, and Pendleton, Oregon, and Plymouth, Washington. Eastern Oregon Telecom is a wholly-owned direct subsidiary of Eastern Oregon Holding (FRN: 0028886331). Joseph Franell and Richard Holbo each indirectly hold 50 percent of the ownership interests of Eastern Oregon Holding and Eastern Oregon Telecom.

B. Blue Mountain Networks

Blue Mountain Networks (FRN: 0028886216) is a Delaware limited liability company that was recently formed for purposes of this transaction. Blue Mountain Networks is 98 percent owned by Blue Mountain Holdings LLC ("Blue Mountain Holdings"), also a Delaware limited liability company recently formed for purposes of this transaction.

ZRF Partners LLC ("ZRF Partners"), a New Jersey limited liability company, is the managing member of and controls Blue Mountain Holdings. ZRF Partners is a growth-oriented

³ *Id.* §§ 63.03(b), 63.12.

private investment firm focused on building value through operational and strategic improvements. The principals of ZRF Partners have substantial experience in the telecommunications sector. Sardar Faisal Nisar, Founder and Managing Director of ZRF Partners, has over twenty years of experience in the telecommunications private equity and investment banking industry. Prior to founding ZRF Partners, he was an investment partner with Baker Capital, a \$1.5 billion telecommunications, media, and technology fund. He also was an investment banker in the Global Communications group of Merrill Lynch. Gary Evans, an Operating Partner at ZRF, was the Founder, President, and Chief Executive Officer of Hiawatha Broadband Communications, a fiber-to-the-home network provider in Minnesota.

In addition, Stephen Barraclough, who may hold up to an approximate 20 percent equity interest in Blue Mountain Holdings, has over 30 years of experience in leading and managing companies across range of industries, including communications. He previously served as Chief Executive Officer of Burlington Telecom, a municipal fiber-to-the-home network in northern Vermont.

II. DESCRIPTION OF THE TRANSACTION

On September 13, 2019, Blue Mountain Networks, Eastern Oregon Holding, and Eastern Oregon Telecom entered into an Equity Purchase Agreement (“Agreement”). Pursuant to the Agreement, Blue Mountain Networks will acquire from Eastern Oregon Holding all of the membership interests of Eastern Oregon Telecom. As a result of the transaction, Eastern Oregon Telecom will become a wholly-owned, direct subsidiary of Blue Mountain Networks. For the Commission’s reference, organization charts illustrating the current and post-closing corporate structure of Eastern Oregon Telecom are provided as Exhibit A.

In a separate transaction, Blue Mountain Networks also has entered into an agreement pursuant to which it proposes to acquire control of Axxis Communication, Inc. (“Axxis

Communication”). Axxis Communication is a CLEC and provides local and long distance voice services, as well as data and transport services, in North Central Oregon and South Central Washington in and around Hood River, Oregon and the Columbia River Gorge area. Axxis Communication’s service area does not overlap with and is not directly adjacent to that of Eastern Oregon Telecom. A separate application also is being filed with the Commission seeking approval to transfer control of Axxis Communication to Blue Mountain Networks.

III. PUBLIC INTEREST STATEMENT

The proposed transaction will serve the public interest. The change in ultimate control of the Licensee will occur at the parent level and will not involve the assignment of operating authority, assets, or customers. The financial, technical, and managerial resources of ZRF Partners are expected to enhance the ability of Eastern Oregon Telecom to compete in the telecommunications marketplace. Moreover, Eastern Oregon Telecom, combined with Axxis Communication (and its affiliate Gorge Networks Inc., which provides Internet access), will become stronger operators in the communications market.

The Licensee’s operational and customer-facing teams also will continue to manage its day-to-day operations and business following completion of the transaction. The Licensee thus will continue to be operated by highly experienced, well-qualified personnel. Immediately after closing, the Licensee will continue to provide competitive and innovative services to existing customers at the same rates, terms, and conditions and in the same geographic areas as currently provided. (Any future changes in the rates, terms, or conditions of service will be undertaken in response to market conditions and consistent with any applicable federal and state requirements.) The transaction will be transparent to customers and is not expected to result in the discontinuance, reduction, loss, or impairment of service to any customer.

In addition, the proposed transaction will not harm competition. Neither ZRF Partners nor its affiliates currently provide or have an ownership interest in any provider of telecommunications services. Moreover, Eastern Oregon Telecom and Axxis Communication do not have overlapping service areas and do not compete in the provision of any telecommunications offerings. Accordingly, neither this transaction nor the Axxis Communication transaction will reduce the number of service providers in any market.

IV. INFORMATION REQUIRED BY 47 C.F.R. § 63.18 AND THE IBFS SECTION 214 MAIN FORM

The Applicants submit the following information, pursuant to 47 C.F.R. § 63.18 and the IBFS Section 214 Main Form, in support of their request for consent to transfer control of Eastern Oregon Telecom, which holds international Section 214 authority, to Blue Mountain Networks:

A. Contact Information – Answer to Question 10 (Section 63.18(c)-(d))

Correspondence concerning this Joint Application should be directed to:

For Transferor and the Licensee:

Joseph Franell
Chairman
Eastern Oregon Holding Company, LLC
2180 SE Kelli Blvd; P.O. Box 848
Hermiston, OR 97838
541-289-7010 (tel.)
jfranell@eotnet.us

For Transferee:

Sardar Faisal Nisar
Blue Mountain Networks LLC
c/o ZRF Partners LLC
219 Main Street; P.O. Box 735
Chatham, New Jersey 07928
212-653-0343 (tel.)
Fnisar@zrfpartners.com

with copies to:

Jennifer L. Kostyu
Brian W. Higgins
Wilkinson Barker Knauer, LLP
1800 M Street, N.W., Suite 800N
Washington, D.C. 20036
202.783.4141 (tel.)
202.783.5851 (fax)
JKostyu@wbklaw.com

Eastern Oregon Telecom holds an international Section 214 authorization to provide global telecommunications services on a resold basis (File No. ITC-214-20001113-00654).

Neither Blue Mountain Networks nor any of its current affiliates holds international Section 214 authorizations. Axxis Communication holds an international Section 214 authorization to provide global telecommunications services on a resold basis (File No. ITC-214-20080808-00380).

B. Post-Closing Ownership (Answer to Question 11 – Section 63.18(h))

The following entities will hold a direct or indirect 10 percent or greater ownership interest in Eastern Oregon Telecom as of closing:

Name: Blue Mountain Networks LLC
Address: c/o ZRF Partners LLC
219 Main Street; PO Box 735
Chatham, New Jersey 07928
Citizenship: Delaware
Principal Business: holding company
Ownership interest: 100 percent interest in Eastern Oregon Telecom

Name: Blue Mountain Holdings LLC
Address: c/o ZRF Partners LLC
219 Main Street; PO Box 735
Chatham, New Jersey 07928
Citizenship: Delaware
Principal Business: holding company
Ownership interest: approximately 98 percent interest in Blue Mountain Networks

Name: ZRF Partners LLC⁴
Address: 219 Main Street; PO Box 735
Chatham, New Jersey 07928
Citizenship: Delaware
Principal Business: investment company
Ownership interest: managing member of Blue Mountain Holdings

⁴ ZRF Partners is owned by Sardar Faisal Nisar, who is a U.S. citizen.

Name: Sardar Faisal Nisar
Address: 219 Main Street; PO Box 735
Chatham, New Jersey 07928
Citizenship: USA
Ownership interest: approximately 15-25 percent of Blue Mountain Holdings and owner of ZRF Partners

Name: Saba N. Nisar 2012 Spousal Lifetime Access Trust⁵
Address: 8 Strawberry Lane
Warren, NJ 07059
Citizenship: USA
Principal Business: Family trust
Ownership interest: approximately 15-25 percent of Blue Mountain Holdings

Name: Stephen Thomas Barraclough
Address: 65 Beaver Meadow Rd.
Norwich, VT 05055
Citizenship: USA
Ownership interest: approximately 15-20 percent of Blue Mountain Holdings

Exhibit A provides charts depicting the pre- and post-closing ownership structure of the Licensee. At this time, no other person or entity is expected to hold a direct or indirect 10 percent or greater ownership interest in the Licensee as of closing. However, Blue Mountain Networks continues to finalize its ownership structure, thus the ownership interests listed above could fluctuate slightly and additional investors may be identified prior to closing. It is not anticipated that any such fluctuations in ownership will result in a change in control. To the extent any new investors will hold a 10 percent or greater direct or indirect ownership interest in the Licensee, the Applicants will supplement this Joint Application.

⁵ The trustee of the Saba N. Nisar 2012 Spousal Lifetime Access Trust is Nadeem Nisar and the beneficiaries are Nadeem Nisar and his children (Aleezae Nisar, Waleed Nisar, and Anya Nisar), all of whom are U.S. citizens.

C. Narrative of Transfer of Control and Public Interest Statement (Answer to Question 13)

A description of the proposed transaction and demonstration of how it will serve the public interest are set forth in Sections II and III above.

D. Streamlined Processing (Answer to Question 20 – Section 63.12)

This Joint Application qualifies for streamlined processing pursuant to Section 63.12 of the Commission's rules. The Applicants and the Licensee have no foreign carrier affiliates and will have no such affiliates upon closing of the transaction. They therefore qualify for a presumption of non-dominance under Section 63.10 of the Commission's rules on all U.S.-international routes.

V. INFORMATION REQUIRED BY SECTION 63.04 OF THE COMMISSION'S RULES IN RELATION TO THE TRANSFER OF BLANKET DOMESTIC 214 AUTHORITY

In support of their request for consent to transfer control of Eastern Oregon Telecom to Blue Mountain Networks, the Applicants submit the following information pursuant to Section 63.04(a)(6) through (a)(12) of the Commission's rules.

Section 63.04(a)(6) – Description of the transaction:

A description of the proposed transaction is set forth in Section II above.

Section 63.04(a)(7) – Description of the geographic area in which the transferor and transferee offer domestic telecommunications services, and what services are provided in each area:

Eastern Oregon Telecom provides local and long distance voice services, Internet access, and data services in and around Hermiston, Umatilla, Irrigon, Boardman, and Pendleton, Oregon, and Plymouth, Washington.

Section 63.04(a)(8) – Statement as to how the application qualifies for streamlined treatment:

The domestic Section 214 component of this Joint Application qualifies for presumptive streamlined processing pursuant to Section 63.03(b) because Blue Mountain Networks is not a telecommunications provider and currently does not hold a ten percent or greater interest in a wireline telecommunications provider in the United States. Assuming Blue Mountain Networks also obtains control of Axxis Communication, Eastern Oregon Telecom does not overlap in any area served by Axxis Communication. Moreover, Eastern Oregon Telecom and Axxis Communication collectively hold a market share in the interstate, interexchange market of less than ten percent, and will provide competitive telephone exchange services or exchange access services exclusively in geographic areas served by a dominant local exchange carrier that is not a party to the transaction. Neither Blue Mountain Networks, Eastern Oregon Telecom, nor Axxis Communication is dominant with respect to any telecommunications services.

Section 63.04(a)(9) – Identification of all other Commission applications related to this transaction:

A Form 603 application (File No. 0008864098) seeking Commission consent to transfer control of wireless licenses held by Eastern Oregon Telecom from Eastern Oregon Holding to Blue Mountain Networks is being filed concurrently with this Joint Application.

Section 63.04(a)(10) – Statement of whether the applicants request special consideration because either party is facing imminent business failure:

The Applicants do not request special consideration because no party to the proposed transaction is facing imminent business failure.

Section 63.04(a)(11) – Identification of any separately filed waiver requests being sought in conjunction with this application:

No separately filed waiver requests are being sought in conjunction with this Joint Application.

Section 63.04(a)(12) – Statement showing how grant of the application will serve the public interest, convenience and necessity:

A demonstration of how the proposed transaction will serve the public interest is set forth in Section III above.

VI. CONCLUSION

For the reasons stated above, the Applicants respectfully request that the Commission promptly grant this Joint Application.

Respectfully submitted,

By: Blue Mountain Networks LLC

Jennifer L. Kostyu
Brian W. Higgins
Wilkinson Barker Knauer, LLP
1800 M Street, NW, Suite 800N
Washington, D.C. 20036
202.783.4141 (tel.)
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JKostyu@wbklaw.com
BHiggins@wbklaw.com

/s/ Sardar Faisal Nisar
Sardar Faisal Nisar
Authorized Signatory
c/o ZRF Partners LLC
219 Main Street; P.O. Box 735
Chatham, New Jersey 07928
212-653-0343 (tel.)
Fnisar@zrfpartners.com

Counsel to Blue Mountain Networks LLC

By: Eastern Oregon Holding Company, LLC

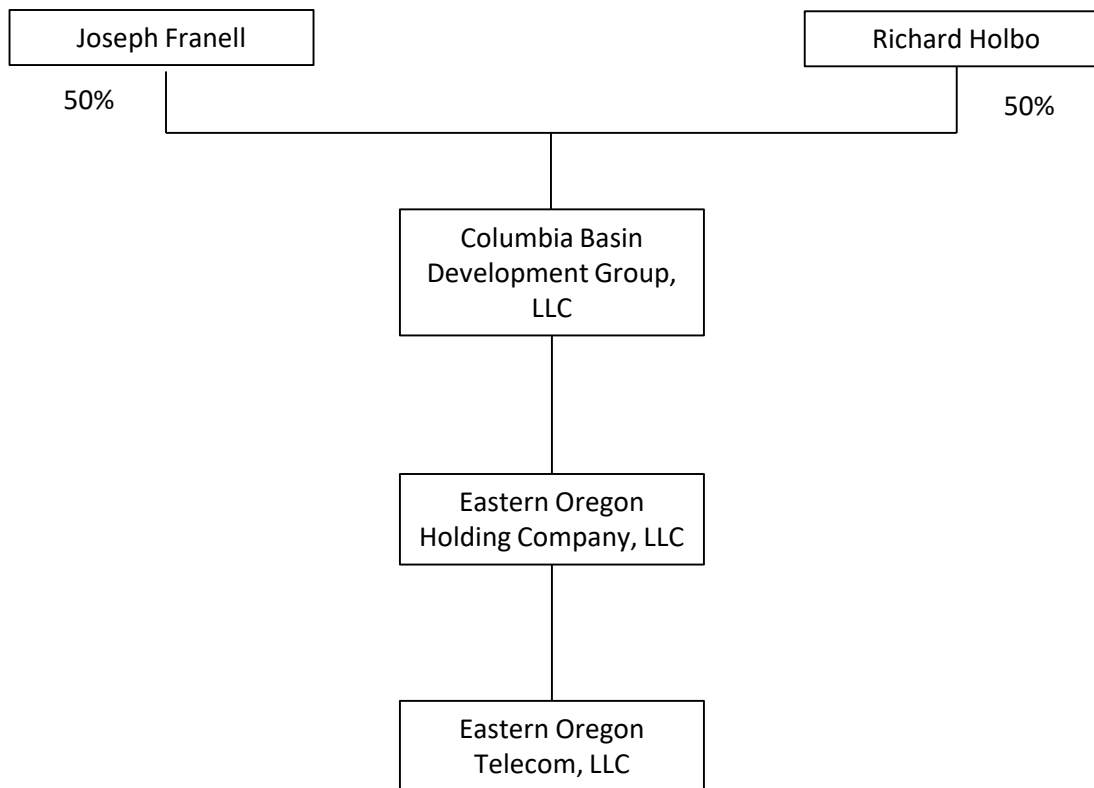
/s/Joseph Franell
Joseph Franell
Chairman
Eastern Oregon Holding Company, LLC
2180 SE Kelli Blvd; P.O. Box 848
Hermiston, OR 97838
541-289-7010 (tel.)
jfranell@eotnet.us

October 18, 2019

EXHIBIT A

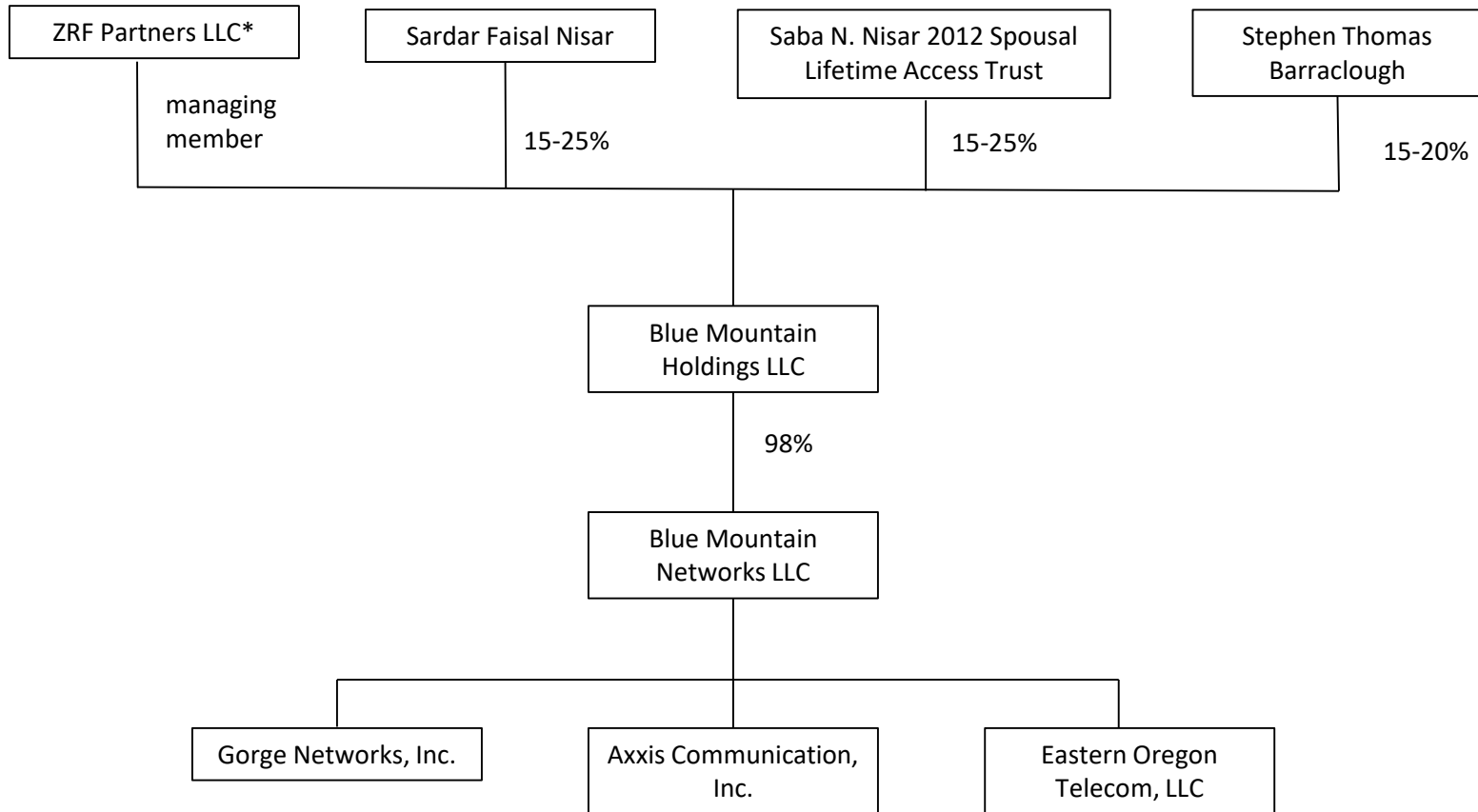
Pre- and Post-Closing Ownership Diagrams

Pre-Closing Ownership



All interests are 100%
unless otherwise noted

Post-Closing Ownership



All interests are 100% unless otherwise noted.

* ZRF Partners LLC is owned by Sardar Faisal Nisar.