



Eckert Seamans Cherin & Mellott, LLC  
1717 Pennsylvania Avenue, N.W.  
12<sup>th</sup> Floor  
Washington, D.C. 20006

TEL 202 659 6600  
FAX 202 659 6699  
www.eckertseamans.com

Robert J. Gastner  
Phone: 202-659-6674  
rgastner@eckertseamans.com

April 17, 2018

**Via ECFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Wireline Competition Bureau Applications  
P.O. Box 979091  
St. Louis, MO 63197-9000

Re: In the Matter of Sunset Digital Communications, Inc.; WC Docket No. 18-98

Dear Ms. Dortch:

Sunset Digital Communications, Inc. ("Applicant") hereby provides supplemental information with respect to the application to transfer of control of Sunset Digital to Sunset Digital Holdings, Inc. ("Sunset Digital Holdings"). Applicant originally filed the application with the Wireline Competition Bureau on March 30, 2018. Applicant is hereby filing an additional supplementation to summarize and clarify its previous submission. The attached supplementation is intended to replace Section Four of the original application in its entirety.

Please do not hesitate to contact me at 202.659.6674 with any additional questions concerning this filing.

Sincerely,

/s/ Robert J. Gastner

Robert J. Gastner

Attachment

cc: Gregory Kwan

#### **4. Ownership Interest – 47 C.F.R. § 63.04(a)(4).**

i. Sunset Digital Communications, Inc. (“Sunset Digital”) is a corporation organized under the laws of the Commonwealth of Virginia. Sunset Digital is a next-generation fiber-optic company based in Duffield, Virginia providing broadband, private data, fiber-optic television and telephone services to residents, businesses, medical facilities, banks, and other Internet service providers. The company has branch offices in Kingsport, Tennessee, and Tazewell, Tennessee, with an additional office planned for Danville, Virginia.

The shareholders that currently own ten percent (10%) or more of the issued and outstanding stock of Sunset Digital are provided below:

<b>Name</b>	<b>Occupation</b>	<b>Citizenship</b>	<b>Ownership Percent</b>
Paul Elswick	Telecommunications	USA	50%
Ryan Elswick	Telecommunications	USA	50%

Paul Elswick’s address is 342 Elswick Drive, Jonesville, Virginia 24263. Ryan Elswick’s address is 2120 St. Erics Court, Kingsport, Tennessee 37660.

Sunset Fiber, LLC (“Sunset Fiber”) is currently a wholly owned subsidiary of Sunset Digital. Sunset Fiber is a limited liability company organized under the laws of the Commonwealth of Virginia. Sunset Fiber currently holds a CLEC certificate from the Virginia State Corporation Commission.<sup>1</sup> However, it is not at this time providing telecommunications service in its own name or servicing any customers.

---

<sup>1</sup> VA SCC Case No. 2015-00013 (Jun. 26, 2015).

**ii. Transferee**

The transferee, Sunset Digital Holding, LLC (“Sunset Holding” or “Transferee”), is a newly formed limited liability company organized under the laws of the state of Delaware.<sup>2</sup> It is merely a holding company and will not provide telecommunications service in its own name. Sunset Holding does not have any interlocking directorates with a foreign carrier,<sup>3</sup> nor will it have any such directorates or managers after consummation of this transaction. The owners that will own ten percent (10%) or more of the issued and outstanding ownership units of Sunset Digital Holding, LLC upon consummation of the transfer of control are provided below:

<b>Name</b>	<b>Occupation</b>	<b>Citizenship</b>	<b>Ownership Percent</b>
Paul Elswick	Telecommunications	USA	16.5%
Ryan Elswick	Telecommunications	USA	16.5%
Point Broadband, LLC	Broadband Internet Access Service	USA	59.5%

As noted above, Point Broadband, LLC (“Point Broadband”) is a limited liability company organized under the laws of Georgia. Point Broadband offers fast, reliable internet service to residential and business customers in rural and suburban America. The company is making significant investments building state-of-the-art wireless broadband networks to better serve areas that, until now, have had limited or no internet service. Point Broadband will be the majority shareholder of Sunset Digital Holding. Point Broadband’s FRN is 0026198762. Point Broadband does not have any interlocking directorates with a foreign carrier,<sup>4</sup> nor will it have any such directorates or managers after consummation of this transaction. Point Broadband

---

<sup>2</sup> The Transferor, Transferee, and other parties to this transaction agree to be bound by both Sunset Digital’s short form application in Auction 903, filed with the Commission on March 30, 2018, and Sunset Digital’s actions in the auction both before and after the closing of the transaction.

<sup>3</sup> As defined by 47 C.F.R. § 63.09(d).

<sup>4</sup> As defined by 47 C.F.R. § 63.09(d).

provides Broadband Internet Access Service and some Interconnected VoIP. However, at this time, Point Broadband is not providing telecommunications service, and Point Broadband is not authorized to provide telecommunications service by any state regulator.

Point Broadband is owned 36.06% by ITC Capital Partners, LLC (“ITC”), a Delaware limited liability company. No other individual or group of persons owns 10% or more of Point Broadband, either directly or indirectly. No individual or group of persons owns 10% or more of ITC, either directly or indirectly.<sup>5</sup> Each equity owner of ITC is a U.S. citizen, and none has been convicted of any felony or antitrust violation. ITC’s FRN is 0026211102.

ITC has a 20% ownership interest in Resound Networks LLC (“Resound”), a Texas limited liability company, that provides fixed wireless service in Texas and New Mexico. Resound does not provide incumbent local exchange service in the service territories of any party to the proposed transaction. Applicant and Resound have no overlapping or adjacent service areas. Resound’s FRN is 0024535437.

---

<sup>5</sup> ITC is managed by Todd Holt (Chief Executive Officer and President), Tim Knight (Chief Financial Officer), and Chad Wachter (General Counsel and Secretary). Each manager of ITC is a U.S. citizen, and none has been convicted of any felony or antitrust violation. No manager of ITC individually has an ownership interest in another entity that provides telecommunications service.