APPLICATION FOR DOMESTIC § 214 – PART 63
TRANSFER OF CONTROL

Pursuant to Section 214 of the Communication Act of 1934, as amended (the “Act”), 47 U.S.C. § 214, and Section 63.04 of the Commission’s rules, 47 C.F.R. § 63.04, David Masephol (“Transferor”) and Shawn DeVore and Jill DeVore (the “DeVores” or “Transferees”) (together, “Applicants” filing the “Application”) respectfully request for the reasons listed below the authority necessary to consummate a transaction whereby the DeVores will acquire direct control of Circle Telephone & Electric, LLC (“CTE”) which holds domestic Section 214 authorizations.

Under the proposed transaction, the DeVores will acquire David Masephol’s fifty (50) percent membership interest in Circle Telephone & Electric, LLC (the “Transaction”). Upon completion of the Transaction, the DeVores will own one hundred (100) percent membership interest in CTE with Shawn DeVore owning ninety (90) percent membership interest and Jill DeVore owning ten (10) percent membership interest. The Transaction is an acquisition of membership interest only and will have no impact on CTE’s service rates, terms, and conditions.
The Transaction will not result in any loss or impairment of service to any of CTE’s customers and will have no adverse effect on the competitive market in CTE’s study area.

The Applicants respectfully request streamlined treatment of the Application pursuant to Section 63.03(b)(2)(iii) of the Commission’s rules. The Application is eligible for streamline treatment because the Transaction will result in the Transferees having a market share in the interstate, interexchange market of less than ten (10) percent and the Applicants are the member owners of the incumbent independent local exchange carrier which has fewer than two (2) percent of the nation’s access lines and no overlapping or adjacent service areas.

In support of this Application and in compliance with 47 C.F.R. Section 63.04 of the Commission’s Rules, the Applicants provide the following information:

1. **The name, address, and telephone number of each applicant:**
   a. TRANSFEROR: David Masephol  
      P.O. Box 30012  
      Central, Alaska 99730  
      (907) 520-5012
   b. TRANSFEREES: Shawn DeVore and Jill DeVore  
      P.O. Box 123  
      Circle, Alaska 99733  
      (907) 520-5050

2. **The government, state, or territory under the laws of which each corporate or partnership applicant is organized:**

   Circle Telephone & Electric, LLC, is a member-managed limited liability company organized under the laws of the state of Alaska.

3. **The name, title, post office address, and telephone number of the officer or contact point, such as legal counsel, to whom correspondence concerning the application is to be addressed:**
a. TRANSFEROR:    David Masephol, President
                  Circle Telephone & Electric, LLC
                  P.O. Box 30012
                  Central, Alaska 99730
                  (907) 520-5012
                  damasephol@gmail.com

b. TRANSFEREE:    Shawn DeVore, Vice-President
                  Circle Telephone & Electric, LLC
                  P.O. Box 3
                  Circle, Alaska 99733
                  (907) 773-5500
                  shawn@circleutilities.com

4. **The name, address, citizenship and principal business of any person or entity that directly or indirectly owns at least ten (10) percent of the equity of the applicant, and the percentage of equity owned by each of those entities (to the nearest one (1) percent):**

   **TRANSFEROR:**

   David Masephol, P.O. Box 30012, Central, Alaska 99730 is a citizen of the United States. He is a working member owner of Circle Telephone and Electric, LLC and currently owns fifty (50) percent membership interest in CTE.

   **TRANSFEREES:**

   Shawn DeVore, P.O. Box 123, Circle, Alaska 99733 is a citizen of the United States. He is a working member owner of Circle Telephone and Electric, LLC and currently owns fifty (50) percent membership interest in CTE.

   Jill DeVore, P.O. Box 123, Circle, Alaska 99733 is a citizen of the United States and is the Postmaster for Circle, Alaska. She currently has no membership interest in CTE.
Upon completion of the Transaction, the DeVores will own one hundred (100) percent membership interest in Circle Telephone & Electric, LLC; with Shawn DeVore owning ninety (90) percent membership interest and Jill DeVore owning ten (10) percent membership interest.

5. **Certification pursuant to §§ 1.2001 through 1.2003 of this chapter that no party to the application is subject to a denial of Federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988.**

   By their signatures below, the Applicants certify that no party to the application is subject to a denial of Federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988.

6. **A description of the transaction:**

   Applicants have entered into an agreement dated May 26, 2021 in which the DeVores will acquire David Masephol’s fifty (50) percent membership interest in Circle Telephone & Electric, LLC. Circle Telephone & Electric, LLC serves USAC Study Area 613005 and currently has 67 access line customers in its study area.

7. **A 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:**

   CTE’s geographical service area description is as follows:

   8 mile corridor in the form of a parallelogram with its true point of beginning at the Northeast corner of Section 17, Township 12N, Range 18E, Circle Meridian; thence South along said section lines a distance of Eight (8) miles to the Southeast corner of Section 20, Township 11N, Range 18E, thence in Southwesterly direction in a straight line to the Southwest corner of Section 25 of Township 10N, Range 16E; thence North along said section line a distance of Eight (8) miles to the Northwest
corner of Section 24, Township 11N, Range 16E thence in a Northeasterly straight line to the true point of beginning.

Circle Telephone and Electric, LLC (aka Circle Utilities) is the incumbent independent local exchange carrier and provides voice telecommunications services in the remote tribal community of Circle, Alaska. CTE’s customer base consists of 45 residential and 22 business access lines. Currently, CTE does not offer broadband service. Due to CTE’s small customer base and lack of terrestrial middle-mile facilities, CTE was approved by the Commission’s Wireline Competition Bureau to receive Alaska Plan high-cost support to maintain service at CTE’s existing level with no obligation to deploy broadband.¹

8. **A statement as to how the application fits into one or more of the presumptive streamlined categories in this section or why it is otherwise appropriate for streamlined treatment:**

Applicants respectfully submit that this Application is eligible for presumptive streamlined treatment under Section 63.03(b)(2)(iii) of the Commission’s rules, 47 C.F.R. § 63.03. Upon Commission approval of the Transaction, the Transferee will have a market share in the interstate, interexchange market of less than ten (10) percent. The Applicants are the member owners of Circle Telephone & Electric, LLC, the incumbent independent local exchange carrier as defined in 47 C.F.R. § 64.1902 and have fewer than two (2) percent of the nation’s subscriber lines installed in the aggregate nationwide and no overlapping or adjacent service areas.

The Transaction will have no impact on the competitive market. Due to CTE’s small customer base and the high cost to providing service in remote Alaska, CTE is the only local exchange telecommunication provider in the study area.

Upon completion of the Transaction, CTE will continue to provide service at the same rates, terms and conditions that are in effect today. No customer will lose service or be adversely affected by the Transaction. Since the Transaction poses no competitive or public interest concerns, this Application is appropriate for streamlined treatment.

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

None

10. **A statement of whether the applicants are requesting special consideration because either party to the transaction is facing imminent business failure:**

Applicants are not requesting any special consideration.

11. **Identification of any separately filed waiver requests being sought in conjunction with the transaction; and**

There are no separately filed waiver requests being sought in conjunction with the transaction.

12. **A 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 transactions on competition in domestic markets.**

The proposed transaction will serve the public interest, convenience, and necessity. David Masephol is ageing and wishes to sell his fifty (50) percent membership interest in the Company so he can retire. Since Shawn DeVore currently owns the remaining fifty (50) percent membership interest in the Company, the proposed
transaction would allow for a seamless transition in ownership when David Masephol retires and would be largely transparent to CTE’s customers.

CTE’s study area is located 155 miles from Fairbanks, Alaska; the nearest urban center. The running of a utility requires 24-hour coverage. As locals in the Circle community, the DeVores are able to oversee the daily operations of the utility and can quickly respond to any utility need that may arise.

Circle Telephone & Electric, LLC is the incumbent independent local exchange carrier and only local telecommunications provider in the study area. The proposed transaction allows CTE to continue to provide quality telecommunication service at the same rates, terms and conditions that are in effect today. No customer will realize a disruption, reduction, or discontinuance of service because of the proposed transaction.

The proposed transaction will have no impact on competition in the domestic markets. Due to CTE’s small customer base and the high cost of providing service in remote Alaska, CTE is the only local exchange telecommunication provider in CTE’s study area.

For the reasons stated above, the Applicants respectfully submit that the information in the Application is true and accurate to the best of their knowledge and that the public interest, convenience, and necessity would be furthered by a grant of this Application.
Respectfully submitted,

David Masephol, Transferor

Date

Jill DeVore, Transferee

Date

Jill DeVore, Transferee

Date