

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

Application of
Comspan Communications, Inc.
Transferor,
and
Douglas Services, Inc., d/b/a Douglas Fast
Net,
Transferee,
For Consent for Transfer of Control

WC Docket No. _____

To: Wireline Competition Bureau

APPLICATION FOR CONSENT FOR TRANSFER OF CONTROL

Pursuant to Section 214 of the Communications 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, Comspan Communications, Inc. ("Transferor") and Douglas Services, Inc., d/b/a Douglas Fast Net ("DFN" or "Transferee") (together "Applicants" filing the "Application") hereby respectfully request for the reasons detailed below the authority necessary to consummate a transaction (the "Transaction") whereby DFN will acquire direct control of Transferor which holds domestic Section 214 authorization.

The proposed transaction contemplates acquisition of all of the assets, including customer base, of Transferor by DFN. This will place DFN in control of Transferor. Transferor currently serves fewer than two percent (2%) of the nation's access lines. With the acquisition, DFN will also serve fewer than two percent (2%) of the nation's access lines.

DFN is in the telecommunications business in the State of Oregon.

Service to customers will be provided at substantially the same rates, terms and conditions as are in effect today. Therefore, the proposed transaction will be largely transparent to existing customers. For these reasons, and for the reason detailed below, the transaction will serve the public interest and the Commission should grant this Application on a streamlined basis.

Applicants respectfully request that the Commission grant this Application on a streamlined basis. This Application is eligible for streamlined treatment pursuant to Section 63.03(b)(2) of the Commission's rules because the transaction will result in Transferee having a market share in the interstate, interexchange market of less than 10 percent. In the alternative, streamlined treatment is justified on a case-by-case basis.

In accordance with the requirements of Section 63.04 of the Commission's rules, the Applicants provide the following information:

(1) Name, address, and telephone number of each Applicant.

Transferor:

Comspan Communications, Inc.
575 US 101
Bandon, OR 97411

Transferee:

Douglas Services, Inc., d/b/a Douglas Fast Net
2350 NW Aviation Dr.
Roseburg, OR 97470
(541) 673-4242

(2) State under the laws of which each applicant is organized.

Transferor is a corporation organized under the laws of the State of Oregon.

DFN is a corporation organized under the laws of the State of Oregon.

(3) Legal counsel to whom correspondence concerning the application is to be addressed.

Richard A. Finnigan
Law Office of Richard A. Finnigan
2112 Black Lake Blvd SW
Olympia, WA 98512
(360) 956-7001
rickfinn@localaccess.com

(4) Name, address, citizenship, and principal business of entities that own at least ten percent (10%) of the equity of the applicants (to the nearest one percent (1%)).

For Transferor:

Transferor is an Oregon domestic business corporation. It is owned 100% by Pacific Communications Group, LLC (“PCG”), a Nevada limited liability company. PCG is owned 100% by Telco Investment Group, Inc. (“TIG”), a Nevada corporation. TIG is owned 100% by Mark Scully, a U.S. citizen.

No other person or entity owns a ten percent (10%) or more direct or indirect interest in Transferor.

Transferor is engaged in the business of providing domestic fiber optic telecommunications and related services to customers in its markets. Services include broadband services and advanced services in in the local exchange and exchange access services in the state of Oregon. Transferor has received authority to operate as a local exchange and interexchange carrier in the state of Oregon. Transferor does not provide service as an incumbent local exchange carrier in any jurisdiction.

For Transferee:

DNF is an Oregon domestic corporation. DFN is 100% owned by Douglas Electric Cooperative, an Oregon cooperative corporation. No person owns ten percent (10%) or more, directly or indirectly, of Douglas Electric Cooperative.

DNF is authorized to provide competitive local exchange and exchange access services in Oregon. DFN currently provides intra- and interexchange private line and advanced services to customers in Oregon. DFN does not provide services as an incumbent local exchange carrier in any jurisdiction.

(5) Certification pursuant to Sections 1.2001 through 1.2003 that no party to the application is subject to a denial of Federal benefits.

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) Description of the transaction.

Applicants have entered into an Agreement in July of 2020, pursuant to which DFN will acquire all of the assets and customer base of Transferor in Bandon, Roseburg, Sutherlin, Winston, Coquille, Glendale, Myrtle Point and Reedsport. Transferor serves USAC Study Area 539005. There are 1343 working loops in the Transferor study area. The transaction is scheduled to close on September 30, 2020, subject to regulatory approval.

The proposed transfer of control will have no adverse impact on customers. Following the transaction DFN will offer the same local and interexchange private line and advanced services that is currently offered to customers, under the same rates, terms and conditions.

(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.

Transferor provides local exchange and exchange access services in the Bandon, Roseburg, Sutherlin, Winston, Coquille, Glendale, Myrtle Point and Reedsport wire centers located in the State of Oregon as a competitive local exchange carrier. Transferor serves _____ working loops as of the date of this Application.

DFN provides local exchange and exchange access services in the Roseburg, Camas Valley, Drain, Glide, Yoncalla, Sutherlin and Winston wire centers located in the State of Oregon as a competitive local exchange carrier. DFN serves 5023 working loops as of the date of this Application.

(8) Statement on how the application fits into one or more of the presumptive streamlined categories or why it is otherwise appropriate for streamlined treatment.

Applicants respectfully submit that this Application is eligible for streamlined processing pursuant to Section 63.03(b)(2)(ii) of the Commission's rules because:

(1) The transaction will result in the Transferee or its affiliates having a market share in the interstate interexchange market of less than 10 percent. No entities or persons in the ownership chain report a 10% or greater ownership in any telecommunications provider.

(2) The Transferee will provide competitive telephone exchange services or exchange access services (if at all) exclusively in geographic areas services served by a dominant local exchange carrier that is not a party to this transaction.

(3) The Applicants are not affiliated with any dominant carrier.

Alternatively, streamlined treatment is appropriate under the Commission's "case-by-case approach."¹ Indeed, the Commission has adopted a "general rule in which all

¹ *Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations*, Report and Order, 17 FCC Rcd 5517 ¶34 (2002) ("*Streamlining Order*"); see also 47 C.F.R. § 63.03(a) (permitting streamlining "[u]pon determination ... that the application is appropriate for streamlined treatment").

applications are eligible for streamlined processing,” finding that such general eligibility for streamlined processing “best reduces regulatory burdens on domestic telecommunications carriers, while at the same time ensuring that [the Commission] continue[s] to serve the public interest under section 214 of the Communications Act.”² This Application should be subject to streamlined processing because it involves only a transfer of assets, and presents no “novel questions of fact, law, or policy which cannot be resolved under outstanding precedents and guidelines.”³ As noted above (and discussed more fully below), this Application presents no competitive or public interest concerns. Upon completion of the proposed transaction, Transferee will continue to provide service at the same rates, terms and conditions as are in effect today. No customer will lose service or be adversely affected as a result of the proposed transaction. Because this transaction poses no competitive concerns and raises no novel issues, this Application is appropriate for streamlined treatment.

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

None.

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

The Applicants are not requesting special consideration of the Application.

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

None. In addition, please note that there is no international 214 application required for this Transaction.

² *Streamlining Order* ¶34.

³ *Id.* ¶28.

(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 transaction on competition in domestic markets.

This proposed transaction will serve the public interest because it will provide benefits to customers without any countervailing harms. DFN will bring vigorous ownership with sufficient financial resources to meet the needs of Transferor's customers.

In contrast to the substantial potential benefits, the proposed transaction poses no countervailing harms. There will be no reduction, impairment, or discontinuance of service to any customer as a result of the proposed transaction. Because of this, the proposed transaction will be largely transparent to Transferor's current customers.

* * *

For all of the foregoing reasons, Applicants respectfully request that the Commission grant all authority necessary for consummation of the Transaction described herein. Please contact the undersigned with any inquiries concerning this Application. Payment in the amount of \$1,195.00 was paid electronically via the Commission's website.

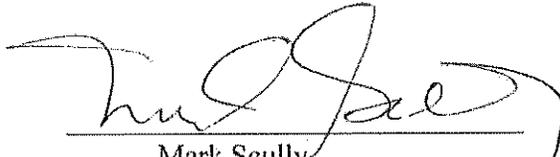
Respectfully submitted,

By: 
Richard A. Finnigan
Law Office of Richard A. Finnigan
2112 Black Lake Blvd SW
Olympia, WA 98512
(360) 956-7001
rickfinn@localaccess.com

DECLARATION OF MARK SCULLY

I, Mark Scully, President of Transferor, do hereby declare under penalty of perjury that I have read the foregoing "APPLICATION FOR CONSENT FOR TRANSFER OF CONTROL," and the information contained therein is true and correct to the best of my knowledge, information, and belief.

8/7/2020
Date


Mark Scully

DECLARATION OF TODD WAY

I, Todd Way, President of Douglas Services, Inc., d/b/a Douglas Fast Net, do hereby declare under penalty of perjury that I have read the foregoing "APPLICATION FOR CONSENT FOR TRANSFER OF CONTROL," and the information contained therein is true and correct to the best of my knowledge, information, and belief.

6/7/2020
Date

Todd Way
Todd Way