

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

In the Matter of)	
)	
FEH Investments LLC and Tammy Thurston)	WC Docket No. ____
Transferors)	
)	
Rural Broadband Consulting, Inc.)	
Transferee)	
)	
For Transfer of Control of Velocity Networks of Kentucky, Inc.,)	
Which Provides Interstate Exchange Access and Interexchange)	
Services as a Competitive Local Exchange Carrier in Kentucky)	
Pursuant to a Domestic Blanket Authorization under)	
Section 214 of the Communications Act)	

TO: Chief, Wireline Competition Bureau

**APPLICATION FOR STREAMLINED TRANSFER OF CONTROL
OF DOMESTIC BLANKET SECTION 214 AUTHORIZATION**

FEH Investments LLC ("FEH") and Tammy Thurston ("Ms. Thurston") (collectively, "Transferors") and Rural Broadband Consulting, Inc. ("RBC"; FRN: 0028963551) hereby request Commission authorization for the transfer of control of Velocity Networks of Kentucky, Inc. ("Velocity"; FRN: 0006-8440-96) and its blanket Domestic Section 214 Authorization from FEH and Ms. Thurston to RBC.

Velocity is a competitive local exchange carrier ("CLEC") which competes with incumbent local exchange carrier ("ILEC") AT&T in portions of Central Kentucky.

RBC is a broadband consulting company that is currently not a facilities-based carrier or any other type of telecommunications carrier. However, its 100 percent owner, James Bellina, is a minority stockholder and Chief Executive Officer of Dialog Telecom LLC ("Dialog"), a holding company, which owns: (a) 100 percent of Dialog Telecommunications, Inc. ("DTI"), a competitive local exchange carrier ("CLEC") which

provides voice and data services in Kentucky; (b) 100 percent of Acorn Telephone, LLC (“Acorn”), a CLEC which provides voice and data services in Kentucky; and (c) 100 percent of AMA Communications, LLC, a CLEC which provides voice and data services in Texas. (Dialog, DTI, Acorn and AMA are collectively referred to as the “Dialog Companies”),

The proposed transaction qualifies for streamlined processing pursuant to: (a) Section 63.03(b)(1)(ii) of the Commission’s Rules because the transferee RBC is not itself a telecommunications provider; and/or (b) Section 63.03(b)(2)(i) because RBC and the Dialog Companies have a market share in the interstate, interexchange market of substantially less than 10 percent (10%) both before and after acquiring Velocity, because RBC (after acquiring Velocity) and the Dialog Companies will provide competitive telephone exchange services and exchange access services exclusively in geographic areas served by a dominant local exchange carriers that are not a party to the transaction (ATT and Windstream in Kentucky, and ATT, Windstream, Frontier and CenturyLink in Texas), and because neither the Transferors nor Velocity nor RBC nor the Dialog Companies are dominant with respect to any service.

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:

Transferors:

FEH Investments LLC
186 N. Main Street (P.O. Box 263)
Russellville, KY 42276
Telephone: (270) 726-4033
Email: FEH@LoganTele.com

Tammy Thurston
186 N. Main Street (P.O. Box 263)
Russellville, KY 42276
Telephone: (270) 726-4033
Email: tthurston0012@gmail.com

Transferee:

Rural Broadband Consulting, Inc.
5550 77 Center Drive, Suite 220
Charlotte, NC 28217
Telephone: (704) 887-1343
Email: jim@calldialog.com

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

Velocity Networks of Kentucky, Inc. is a corporation organized under the laws of the State of Kentucky.

Rural Broadband Consulting, Inc. is a corporation organized under the laws of the State of North Carolina.

(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 Transferors:

Eugene Hargis, Manager
FEH Investments LLC
186 N. Main Street (P.O. Box 263)
Russellville, KY 42276
Telephone: (270) 726-4033
Email: FEH@LoganTele.com

With a copy to:
Melissa Roberts,
Hargis and Associates
120 East 3rd Street
Russellville, KY 42276
Telephone: (270) 726-4033
Email: mroberts@hargisandassociates.com

For Transferee:

James Bellina, President
Rural Broadband Consulting, Inc.
5550 77 Center Drive, Suite 220
Charlotte, NC 28217
Telephone: (704) 887-1343
Email: jim@calldialog.com

With a copy to Counsel:
Gerard J. Duffy, Esquire
Blooston, Mordkofsky, Dickens, Duffy & Prendergast, LLP
2120 L Street, N.W. (Suite 300)
Washington, D.C. 20037
Telephone: (202) 659-0830
Email: gjd@bloostonlaw.com

- (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:**

VELOCITY PRIOR TO TRANSACTION:

The name, address, citizenship and principal business of the entities that own at least ten (10) percent of the equity of Velocity Networks of Kentucky, Inc. prior to the proposed transaction are:

<u>Name & Address</u>	<u>% Ownership</u>	<u>Citizenship</u>	<u>Principal Business</u>
FEH Investments LLC 186 N. Main Street Russellville, KY 42276	85.00%	Kentucky Limited Liability Company	Telecommunications
Tammy Thurston 186 N. Main Street Russellville, KY 42276	15.00%	U.S.A.	Telecommunications

In turn, name, address, citizenship and principal business of the entities that own at least ten (10) percent of the equity of FEH Investments LLC prior to the proposed transaction are:

<u>Name & Address</u>	<u>% Ownership</u>	<u>Citizenship</u>	<u>Principal Business</u>
Eugene Hargis 186 N. Main Street Russellville, KY 42276	20.00%	U.S.A.	Investments
Marsha Crowder 186 N. Main Street Russellville, KY 42276	10.00%	U.S.A.	Investments
Jennifer Cates 186 N. Main Street Russellville, KY 42276	10.00%	U.S.A.	Investments

Tiffany Hargis 186 N. Main Street Russellville, KY 42276	10.00%	U.S.A.	Investments
Jacob Hargis 186 N. Main Street Russellville, KY 42276	10.00%	U.S.A.	Investments
Paul Hargis 186 N. Main Street Russellville, KY 42276	10.00%	U.S.A.	Investments
Gena Cowan 186 N. Main Street Russellville, KY 42276	10.00%	U.S.A.	Investments
Leah Shoulders 186 N. Main Street Russellville, KY 42276	10.00%	U.S.A.	Investments
Diane Hargis 186 N. Main Street Russellville, KY 42276	10.00%	U.S.A.	Investments

No other entity directly or indirectly owns ten percent (10.0%) or more of the equity and/or voting interests of Velocity prior to the proposed transaction.

VELOCITY AFTER TRANSACTION:

The name, address, citizenship and principal business of the sole entity that will own at least ten (10) percent of the equity of Velocity Networks of Kentucky, Inc. after the proposed transaction are:

<u>Name & Address</u>	<u>Ownership</u>	<u>Citizenship</u>	<u>Principal Business</u>
Rural Broadband Consulting, Inc. 5550 77 Center Drive, Suite 220 Charlotte, NC 28217	100.00%	NC. Corporation	Telecommunications Consulting

In turn, the name, address, citizenship and principal business of the sole entity who will that own at least ten (10) percent of equity of Rural Broadband Consulting, Inc. before and after the proposed transaction are:

<u>Name & Address</u>	<u>Ownership</u>	<u>Citizenship</u>	<u>Principal Business</u>
James Bellina 5550 77 Center Drive Charlotte, NC 28217	100.00%	U.S.A.	Telecommunications

No other entity will directly or indirectly own ten percent (10.0%) or more of the equity and/or voting interests of Velocity Networks of Kentucky, Inc. after the proposed transaction.

(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.

FEH Investments LLC, Tammy Thurston and Rural Broadband Consulting, Inc. 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.

(6) Description of the transaction:

The subject transaction is comprised of the purchase by RBC from FEH and Ms. Thurston of all of the issued and outstanding stock of Velocity Networks of Kentucky, Inc. Ownership and control of the outstanding Velocity stock will give RBC control of the blanket Domestic Section 214 Authorization held by Velocity.

(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 Velocity

Velocity provides local exchange and exchange access services as a CLEC (in competition with ATT) in the Central Kentucky communities of Bowling Green and Owensboro. Velocity serves fewer than 500 access lines primarily using unbundled network element ("UNE") loops from ATT. Velocity also provides long distance toll to customers within its CLEC service area.

Velocity has no other subsidiaries or affiliates that offer telecommunications services.

Areas and Services of RBC and its Affiliates

RBC presently does not provide any telecommunications services.

James Bellina, RBC's 100% owner, owns 22.88% of the stock of Dialog Telecom, LLC ("Dialog") and has served as its Chief Executive Officer and Manager for more than a decade.

Dialog is a holding company that does not directly provide telecommunications services.

DTI, a wholly-owned subsidiary of Dialog, provides voice and data services as a CLEC in Western Kentucky. DTI serves approximately 3,700 access lines primarily in and around the western Kentucky communities of Paducah, Mayfield, Murray, Madisonville, Benton and Central City using its own switching platform and loops acquired from other competitive providers or, in a minority of cases, UNE loops from ATT.

Acorn, a wholly-owned subsidiary of Dialog, provides voice services as a CLEC in Kentucky. Acorn serves approximately 775 access lines in rural areas under a commercial agreement with ATT. The largest concentration of these customers is in the Appalachian region in Eastern Kentucky.

AMA, a wholly-owned subsidiary of Dialog, provides voice and data services as a CLEC in Texas. AMA primarily serves consumers on its own facilities in rural markets that have limited broadband availability from their incumbent provider, ATT, Frontier, Windstream or CenturyLink.

RBC and Dialog have no other subsidiaries or affiliates that offer telecommunications services.

James Bellina is an outside director (one of five directors in total) of American Broadband Holding Company. He owns no equity in American Broadband Holding Company or its subsidiaries.

(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:

The proposed transaction qualifies for streamlined processing pursuant to: (a) Section 63.03(b)(1)(ii) of the Commission's Rules because the transferee RBC is not itself a telecommunications provider; and/or (b) Section 63.03(b)(2)(i) because RBC and Dialog and their affiliates have a market share in the interstate, interexchange market of substantially less than 10 percent (10%) both before and after acquiring Velocity, because RBC (after acquiring Velocity) and the Dialog Companies will provide competitive telephone exchange services and exchange access services exclusively in geographic areas served by dominant local exchange carriers that are not a party to the transaction (ATT and Windstream in Kentucky; and ATT, Frontier, CenturyLink and Windstream in Texas), and because neither the Transferors nor Velocity nor RBC nor the Dialog Companies are dominant with respect to any service.

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

Velocity has surrendered its International Section 214 Authorization for global resale (ITC-214-20010308-00131) (File No. SUR-NDR-20191112-00152). There are no other Commission applications or authorizations related to the subject transaction.

(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:

The subject transaction will serve the public interest by ensuring the continued operation of Velocity's competitive local exchange services under the ownership and management of RBC and its owner James Bellina. Mr. Bellina's management role as CEO of Dialog and its subsidiaries has provided him with substantial experience in managing and operating CLECs in rural Kentucky and other areas. He and Dialog have a proven record of investing in rural networks and communities, and in providing high-quality, state-of-the-art voice and data services at affordable rates to rural areas and customers. Authorization of the proposed transaction will ensure that the rural customers of Velocity will continue to receive high-quality, state-of-the-art voice, and data services at affordable rates during the foreseeable future.

Conclusion

In light of the foregoing facts and public interest considerations, the Commission is respectfully requested to authorize the transfer of control of Velocity Networks of Kentucky, Inc. and its blanket Domestic Section 214 Authorization from FEH Investments LLC and Tammy Thurston to Rural Broadband Consulting, Inc.

FEH Investments LLC, Tammy Thurston and Rural Broadband Consulting, Inc. reiterate that they 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,

FEH Investments LLC

By: 
Eugene Hargis, Managing Member

Date: 11/12/19

Rural Broadband Consulting, Inc.

By: _____
James Bellina, President

Date: _____

Tammy Thurston

By: _____
Tammy Thurston

Date: _____

Conclusion

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James Bellina, President

Date: _____

Tammy Thurston

By: 
Tammy Thurston

Date: 1/12/19

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Eugene Hargis, Managing Member

Date: _____

Rural Broadband Consulting, Inc.

By: _____
James Bellina, President

Date: 11/12/19

Tammy Thurston

By: _____
Tammy Thurston

Date: _____