

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

In the Matter of)
)
Estate of Harry F. Colliver, Jr.)
Transferor) WC Docket No. _____
)
William Douglas DeVore)
Transferee)
)
For Transfer of Control of Bush-Tell, Inc., which provides)
interstate exchange access service in Alaska pursuant to a)
blanket domestic Section 214 authorization)

TO: Wireline Competition Bureau

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

The Estate of Harry F. Colliver, Jr. (“Colliver Estate”) and William Douglas DeVore (“Mr. DeVore”) hereby request Commission authorization for the transfer of control of Bush-Tell, Inc. (“Bush-Tell”; FRN: 0005079314) from the Colliver Estate to Mr. DeVore.

Bush-Tell is an incumbent local exchange carrier (“ILEC”) that serves a single Alaska study area (Study Area Code 613004) containing approximately 560 access lines in ten village exchanges (Aniak, Anvik, Crooked Creek, Grayling, Holy Cross, Kalskag, Red Devil, Shageluk, Sleetmute and Stony River) in the Bethel and Yukon-Koyukuk Census Areas of southwestern Alaska. Bush-Tell provides residential and business local exchange telephone service and interstate exchange access in all ten exchanges. It also provides Internet access service in six of the exchanges (Aniak, Anvik, Grayling, Holy Cross, Kalskag and Shageluk).

Harry F. Colliver was the long-term owner of 100 percent of the ownership shares of Bush-Tell. Mr. DeVore, who was a long-time and trusted business colleague but was not related

biologically to Mr. Colliver, had been associated with Bush-Tell since 1984 as a consulting engineer, director, officer and assistant manager. Mr. DeVore had been Vice President and Assistant Manager of Bush-Tell since 2009, and was elected President of Bush-Tell's Board of Directors in 2016.

Harry F. Colliver died on November 24, 2015. His Bush-Tell stock was placed in the Colliver Estate, which was administered by Tina Colliver Drudi, Mr. Colliver's great-niece, as Executor. On October 16, 2016, the Colliver Estate assigned Mr. Colliver's 100 percent ownership interest in Bush-Tell to Mr. DeVore pursuant to the terms of Mr. Colliver's will.

The Regulatory Commission of Alaska ("Alaska Commission") issued an "Order Approving Application and Closing Docket" (U-17-001, Order No. 3) on June 18, 2017 granting the application filed by Mr. DeVore on January 6, 2017, to acquire a controlling interest in Bush-Tell from the Colliver Estate.

Unfortunately, neither the Colliver family nor Bush-Tell management nor the Alaskan attorneys representing them realized the need to file an application or notice with the Commission regarding the involuntary transfer of the ownership of Bush-Tell and its blanket domestic Section 214 authorization to the Colliver Estate at the time of Mr. Colliver's death in November 2015. Likewise, neither Mr. DeVore nor the Colliver Estate nor the Alaskan attorneys representing them realized that they were required to file a Section 214 application with this Commission (as well as an application with the Alaska Commission) for prior approval of the transfer of 100 percent of Bush-Tell's voting stock (and hence control of its blanket domestic Section 214 authorization) to Mr. DeVore by the Colliver Estate.

Mr. DeVore and Bush-Tell now recognize and understand that they are subject to the regulatory jurisdiction of this Commission as well as the Alaska Commission. They ask only

some accommodation and consideration because they relied on the advice of local Alaska attorneys who were unfamiliar with federal requirements, while the Colliver Estate and remaining Bush-Tell management were focused upon overcoming the loss of Mr. Colliver and keeping the very small Bush-Tell operations afloat in the harsh climate and difficult economy of frontier Alaska.

If this application had been filed prior to the subject transaction, it would have qualified for streamlined processing pursuant to Section 63.03(b)(1)(ii) of the Commission's Rules because the transferee Mr. DeVore is not a telecommunications provider.

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:

Transferor:

Estate of Harry F. Colliver, Jr.
c/o Manley & Brautigan, P.C.
1127 West 7th Avenue
Anchorage, Alaska 99501
Telephone: (907) 334-5600
Facsimile: (907) 334-9958

Transferee:

William Douglas DeVore
P.O. Box 109
Aniak, Alaska 99557
Telephone: (907) 675-4311
Facsimile: (907) 675-4575

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

Bush-Tell is an Alaska corporation.

(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 Transferor:

Tina Colliver Drudi, Executor
Estate of Harry F. Colliver, Jr.
c/o Manley & Brautigan, P.C..
1127 West 7th Avenue
Anchorage, Alaska 99501
Telephone: (907) 334-5600
Facsimile: (907) 334-9958

For Assignee:

William Douglas DeVore
c/o Bush-Tell, Inc.
P.O. Box 109
Aniak, Alaska 99557
Telephone: (907) 675-4311
Facsimile: (907) 675-4575

With a copy to Counsel:

Gerard J. Duffy
Blooston, Mordkofsky, Dickens, Duffy & Prendergast, LLP
2120 L Street, N.W. (Suite 300)
Washington, D.C. 20037
Telephone: (202) 659-0830
Facsimile: (202) 828-5568

- (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:**

Bush-Tell, Inc. (Before Transaction)

The name, address, citizenship and principal business of the only entity that owned at least ten (10) percent of the equity and voting power of Bush-Tell, Inc. before the subject transaction are:

<u>Name & Address</u>	<u>Voting & Equity</u>	<u>Citizenship</u>	<u>Principal Business</u>
Estate of Harry F. Colliver, Jr. Tina Colliver Drudi, Executor c/o Manley & Brautigan, P.C. 1127 West 7 th Avenue Anchorage, AK 99501	%		
	100.00%	AK. Estate	Distribution of Property

Tina Colliver Drudi was the grand-niece of Harry F. Colliver, Jr.

No other individual or entity directly or indirectly owned an interest of ten (10) percent or more of the equity and voting power of Bush-Tell, Inc. prior to the subject transaction.

Bush-Tell, Inc. (After Transaction)

The name, address, citizenship and principal business of the only entity that owns at least ten (10) percent of the equity and voting power of Bush-Tell, Inc. after the subject transaction are:

<u>Name & Address</u>	<u>Voting & Equity</u>	<u>Citizenship</u>	<u>Principal Business</u>
William Douglas DeVore P.O. Box 109 Aniak, AK 99557	%		
	100.00%	U.S.A.	Telecommunications

No other individual or entity directly or indirectly owns an interest of ten (10) percent or more of the equity and voting power of Bush-Tell, Inc. after the subject 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.**

The Colliver Estate and Mr. DeVore 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 was comprised of two steps: (1) the involuntary transfer of the 100 percent ownership interest of Harry F. Colliver, Jr. in Bush-Tell to the Colliver Estate after Mr. Colliver's death in November 2015; and (2) the distribution of the 100 percent ownership interest in Bush-Tell to Mr. Devore in October 2016 by the Colliver Estate pursuant to the terms of Mr. Colliver's will. Given that the deceased Mr. Colliver is represented by the Colliver Estate, the transaction is being treated as a transfer of control of Bush-Tell from the Colliver Estate to Mr. Devore for Domestic Section 214 application purposes.

- (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 Bust-Tell and Affiliates

Bush-Tell is an incumbent local exchange carrier ("ILEC") that serves a single Alaska study area (Study Area Code 613004) containing approximately 560 access lines in ten village exchanges (Aniak, Anvik, Crooked Creek, Grayling, Holy Cross, Kalskag, Red Devil, Shageluk, Sleetmute and Stony River) in the Bethel and Yukon-Koyukuk Census Areas of southwestern Alaska. Bush-Tell provides residential and business local exchange telephone service and interstate exchange access in all ten exchanges.

Bush-Tell also provides Internet access service in six of the exchanges (Aniak, Anvik, Grayling, Holy Cross, Kalskag and Shageluk).

Bush-Tell and its previous and current owners have no other subsidiaries or affiliates that offer telecommunications services.

- (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:**

If this application had been filed prior to the subject transaction, it would have qualified for streamlined processing pursuant to Section 63.03(b)(1)(ii) of the Commission's Rules because the transferee Mr. DeVore is not a telecommunications provider.

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

Applications will also be filed to obtain the requisite Commission approvals for the transfer of control of Bush-Tell's radio licenses for Nationwide 3650-3700 MHz Station WQKU343 and Rural Radiotelephone Station KNLQ333.

(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 entails the distribution of the 100 percent ownership interest in Bush-Tell by the Colliver Estate to Mr. Devore pursuant to the terms of the will of the deceased Harry F. Colliver, Jr. Mr. Devore was a trusted employee and business associate of Mr. Colliver since 1984, and has previously served as a consulting engineers, Board member and Assistant Manager of Bush-Tell. Mr. DeVore was selected by Mr. Colliver as his successor to ensure that the rural Alaska customers of Bush-Tell will continue to receive quality competitive local exchange services at affordable rates during the foreseeable future.

Conclusion

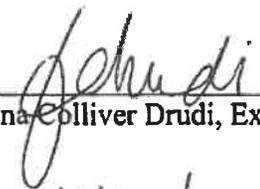
In light of the foregoing facts and public interest considerations, the Commission is respectfully requested to authorize the subject transfer of control of Bush-Tell, Inc. and its Domestic Section 214 authorization from the Estate of Harry F. Colliver, Jr. to William Douglas DeVore.

The Estate of Harry F. Colliver, Jr. and William Douglas DeVore 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,

ESTATE OF HARRY F. COLLIVER, JR.

WILLIAM DOUGLAS DEVORE

By: 
Tina Colliver Drudi, Executor

By: _____
William Douglas DeVore

Date: 11/17/17

Date: _____

Conclusion

In light of the foregoing facts and public interest considerations, the Commission is respectfully requested to authorize the subject transfer of control of Bush-Tell, Inc. and its Domestic Section 214 authorization from the Estate of Harry F. Colliver, Jr. to William Douglas DeVore.

The Estate of Harry F. Colliver, Jr. and William Douglas DeVore 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,

ESTATE OF HARRY F. COLLIVER, JR.

WILLIAM DOUGLAS DEVORE

By: _____
Tina Colliver Drudi, Executor

By: William Douglas DeVore
William Douglas DeVore

Date: _____

Date: 11-13-2017