

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

In the Matter of)
)
Carl C. Krehbiel Revocable Trust, dated December 2, 1992)
(Carl C. Krehbiel, Trustee)) WC Docket No. _____
Transferor)
)
Harry M. Weelborg, J. Sommer Smith and Troy Smith)
Transferees)
)
For the Transfer of Control of Moundridge Telephone Company)
and its subsidiary Moundridge Telecom, Inc., which provide)
interstate interexchange and exchange access services in Kansas)
pursuant to blanket domestic Section 214 authorizations)

TO: Wireline Competition Bureau

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

The Carl C. Krehbiel Revocable Trust, dated December 2, 1992 (Carl C. Krehbiel, Trustee) (“the Krehbiel Trust” or “Transferor”); and Harry M. Weelborg, J. Sommer Smith and Troy Smith (collectively, the “Transferees”) hereby request Commission authorization for the transfer of control of Emmmental, Inc. (“Emmental”), a Kansas holding company, which in turn, owns 100 percent of Moundridge Telephone Company (“Moundridge”; FRN: 0002339976) and Moundridge’s wholly-owned subsidiary Moundridge Telecom, Inc. (“MTI”; FRN: 0004325247), from the Krehbiel Trust to the Transferees. Moundridge, a rural incumbent local exchange carrier (“ILEC”), and MTI, a long distance toll service reseller, provide interstate exchange access services and interstate interexchange services, respectively, in the State of Kansas pursuant to blanket domestic Section 214 authorizations.

Moundridge is a Kansas corporation that provides local exchange service and exchange access service as an ILEC in two exchanges, Moundridge and Goessel (approximately 2,100 access lines) in portions of McPherson, Harvey and Marion Counties in central Kansas. MTI resells interstate and intrastate long distance toll services in Moundridge's local exchange service area.

Harry M. Weelborg does not presently own any telecommunications providers, but has been an employee of the Emmental-Moundridge organization since 1989, and is presently the Vice President and General Manager of Emmental, Moundridge and MTI. J. Sommer Smith and Troy Smith are respectively Mr. Weelborg's daughter and son-in-law; they are new investors in the company.

The proposed transaction is a purchase of 100 percent of the Emmental stock from the Krehbiel Trust by Messers. Weelborg and T. Smith, and Ms. J.S. Smith, By acquiring 100 percent of the issued and outstanding stock of Emmental, Messers. Weelborg and Smith and Ms. Smith will acquire control of the blanket Section 214 authorizations of Moundridge and MTI.

The proposed transaction qualifies for streamlined processing pursuant to Section 63.03(b)(1)(ii) of the Commission's Rules because the Transferees do not presently own any telecommunications providers and are not otherwise telecommunications providers.

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:**

Carl C. Krehbiel Revocable Trust, dated December 2, 1992
 Carl C. Krehbiel, Trustee.
 109 North Christian Avenue (P.O. Box 960)
 Moundridge. Kansas 67109
 Telephone: (620) 345-2831
 Facsimile: (620) 345-6106

Transferees:

Harry M. Weelborg
 J. Sommer Smith
 Troy Smith
 109 North Christian Avenue (P.O. Box 960)
 Moundridge. Kansas 67109
 Telephone: (620) 345-2831
 Facsimile: (620) 345-6106

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

Emmental, Inc. is a Kansas corporation.

Moundridge Telephone Company is a Kansas corporation.

Moundridge Telecom, Inc. is a Kansas 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:**

Carl C. Krehbiel, Trustee.
 109 North Christian Avenue (P.O. Box 960)
 Moundridge. Kansas 67109
 Telephone: (620) 345-2831
 Facsimile: (620) 345-6106

For Transferees:

Harry M. Weelborg
 109 North Christian Avenue (P.O. Box 960)
 Moundridge. Kansas 67109
 Telephone: (620) 345-2831
 Facsimile: (620) 345-6106

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:**

Moundridge Telecom, Inc. (Before and 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 Moundridge Telecom, Inc. both before and after the proposed transaction are:

| <u>Name & Address</u> | <u>Voting & Equity</u> | <u>Citizenship</u> | <u>Principal Business</u> |
|---|----------------------------|--------------------|---------------------------|
| Moundridge Telephone Company 109 N. Christian Ave. Moundridge, KS 67107 | 100.00% | KS Corp. | Telecommunications |

Moundridge Telephone Company (Before and 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 Moundridge Telephone Company both before and after the proposed transaction are:

| <u>Name & Address</u> | <u>Voting & Equity</u> | <u>Citizenship</u> | <u>Principal Business</u> |
|---|----------------------------|--------------------|---------------------------|
| Emmental, Inc. 109 N. Christian Ave. Moundridge, KS 67107 | 100.00% | KS Corp. | Telecommunications |

Emmental, Inc. (Before 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 Emmental, Inc. before the proposed transaction are:

| <u>Name & Address</u> | <u>% Voting & Equity</u> | <u>Citizenship</u> | <u>Principal Business</u> |
|--|----------------------------------|--------------------|---------------------------|
| Carl C. Krehbiel Revocable Trust, dated December 2, 1992 Carl C. Krehbiel, Trustee 109 N. Christian Ave.. Moundridge, KS 67107 | 100.00% | KS Trust. | Telecommunications |

Carl C. Krehbiel is a United States citizen.

No other individual or entity directly or indirectly owns an interest of ten (10) percent of the equity and voting power of Emmental, Inc. prior to the proposed transaction.

Emmental, Inc. (After Transaction)

The names, addresses, citizenship and principal businesses of the entities that will own at least ten (10) percent of the equity and voting power of Emmental, Inc. after the proposed transaction are:

| <u>Name & Address</u> | <u>% Voting & Equity</u> | <u>Citizenship</u> | <u>Principal Business</u> |
|---|----------------------------------|--------------------|---------------------------|
| Harry M. Weelborg 109 N. Christian Ave.. Moundridge, KS 67107 | 51.00% | U.S.A. | Telecommunications |
| J. Sommer Smith 109 N. Christian Ave.. Moundridge, KS 67107 | 25.00% | U.S.A. | Telecommunications |
| Troy Smith 109 N. Christian Ave.. Moundridge, KS 67107 | 24.00% | U.S.A. | Telecommunications |

Mr. Weelborg is currently the Vice President and General Manager of Emmental, Moundridge and MTI. Mr. Smith and Ms. J. S. Smith have no present business or family relationships with any of the companies but are, respectively, the son-in-law and daughter of Mr. Weelborg.

No other individual or entity will directly or indirectly own or control an interest of ten (10) percent or more of the equity and/or voting power of Emmental, Moundridge or MTI 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.

The Carl C. Krehbiel Revocable Trust, dated December 2, 1992, Harry M. Weelborg, J. Sommer Smith and Troy Smith 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:

Harry M. Weelborg, J. Sommer Smith and Troy Smith are acquiring all of the issued and outstanding common stock of Emmental from the Carl C. Krehbiel Revocable Trust, dated December 2, 1992. Purchase of this stock will give Messrs. Weelborg, and T. Smith and Ms. J. S. Smith control of Emmental and its assets, including Moundridge, MTI and their blanket domestic Section 214 authorizations.

(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 Emmental and Affiliates.

Emmental is a holding company which does not directly provide domestic telecommunications services.

Moundridge provides local exchange service and exchange access service as an ILEC (less than 2500 access lines) in and around the communities of Moundridge in McPherson County and Goessel in Marion County, together with additional rural portions of Harvey County, in rural central Kansas.

MTI resells interstate and intrastate long distance toll services to customers within Moundridge's local exchange service area.

In a separate transaction, Transferees are acquiring Mid-Kansas Cable, a Kansas corporation not owned by Emmental or any of its direct or indirect subsidiaries, which provides cable television service in portions of the Moundridge study area.

Emmental owns less than 5% of Kansas Fiber Network, LLC, a Kansas limited liability company and competitive access provider that offers "middle mile" transport and access services to Kansas local exchange carriers.

Emmental has no ownership interests in any other entity that offers domestic 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:

This application fits within the presumptive streamlined categories in Section 63.03(b) of the Commission's Rules, and streamlined treatment is requested. Specifically, it fits within Section 63.03(b)(1)(ii) because the transferees do not currently own any telecommunications providers, and are not otherwise telecommunications providers.

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

Applicants will be filing no other Commission applications related to this 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 proposed transaction entails the acquisition of Emmental, Moundridge and MTI by a group that includes their existing General Manager Under Mr. Weelborg's management, the Emmental-Moundridge organization has long and proven record of investing in its rural network, and of providing high-quality, community-based state-of-the-art voice and data services at affordable rates to its rural service area. The proposed transaction will ensure that Moundridge area customers enjoy the continuing benefit of experienced, community-based management and 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 Emmental, Inc. and its wholly-owned subsidiary Moundridge Telephone Company, plus Moundridge's wholly-owned subsidiary Moundridge Telecom, Inc., from the Carl C. Krehbiel Revocable Trust, dated December 2, 1992 (Carl C. Krehbiel, Trustee) to Harry M. Weelborg, J. Sommer Smith and Troy Smith.

The Carl C. Krehbiel Revocable Trust, dated December 2, 1992 (Carl C. Krehbiel, Trustee), Harry M. Weelborg, J. Sommer Smith and Troy Smith 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,

THE CARL C. KREHBIEL REVOCABLE TRUST, DATED DECEMBER 2, 1992 (Carl C. Krehbiel, Trustee)

Trustee: Carl C. Krehbiel

Date: 4-13-2016

HARRY M. WEELBORG

By: [Signature]

Date: 4-13-16

J. SOMMER SMITH

By: [Signature]

Date: 4/13/16

TROY SMITH

By: [Signature]

Date: 4-13-2016