PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: http://www.fcc.gov
TTY: 1-888-835-5322

MAILED
JAN 27 2010
78488
DOCKET FILE COPY ORIGINAL

DA 10-114
Released: January 21, 2010

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF IOWA TELECOMMUNICATIONS SERVICES, INC. TO WINDSTREAM CORPORATION

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 10-17

Comments Due: February 4, 2010
Reply Comments Due: February 11, 2010

On December 21, 2009, Iowa Telecommunications Services, Inc. (Iowa Telecom) and Windstream Corporation (Windstream) (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules[1] seeking approval to transfer control of Iowa Telecom and its subsidiaries to Windstream. Applicants do not seek streamlined treatment for this application.

Iowa Telecom, a publicly-traded Iowa corporation, provides local telephone, long distance, and other services to business and residential customers.[2] Iowa Telecom operates 288 telephone exchanges in Iowa as the incumbent local exchange carrier (LEC).[3] Through its subsidiaries, Iowa Telecom Communications, Inc. and IT Communications, LLC, Iowa Telecom operates as a competitive LEC in all

[1] 47 C.F.R § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing applications seeking approval for the transfer of control of associated authorizations for international and wireless services. Iowa Telecom previously filed an application to transfer control of Direct Communications, LLC, formerly a subsidiary of Sherburne Tele Systems, Inc., to Iowa Telecom. *Domestic Section 214 Application Filed for the Acquisition of Assets of Direct Communications, LLC by Iowa Telecommunications Services, Inc.*, WC Docket No. 09-227, Public Notice, DA 09-2621 (filed Dec. 22, 2009). Windstream previously filed a pending domestic 214 application for the transfer of control of NuVox, Inc. to Windstream. *Domestic Section 214 Application Filed for the Transfer of Control of NuVox, Inc. to Windstream Corporation*, WC Docket No. 09-211, Public Notice, DA 09-2523 (filed Dec. 16, 2009). Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

[2] As of September 30, 2009, Iowa Telecom and its subsidiaries had approximately 255,600 total access lines (214,100 incumbent LEC access lines and 41,500 competitive LEC access lines), 160,000 interexchange (long distance) subscribers, 95,000 broadband DSL customers, 11,800 dial-up Internet access subscribers, and 26,400 video subscribers.

[3] Two of these exchanges are served by Iowa Telecom's incumbent LEC subsidiary, Montezuma Mutual Telephone Company. Two of Iowa Telecom's incumbent LEC study areas include an extension into adjacent geographic areas of Missouri covering, between them, fewer than 70 access lines.

the exchanges in which Qwest is the incumbent LEC in Iowa.[4] Iowa Telecom serves 10 exchanges as an incumbent LEC in Minnesota through its subsidiary Lakedale Telephone Company,. Iowa Telecom also serves 104 exchanges in Minnesota as a competitive LEC through its Lakedale Link, Inc. and Lakedale Link, LLC subsidiaries and majority-owned EN-TEL Communications, LLC subsidiary.

Windstream, a publicly-traded Delaware corporation with no 10 percent or greater interest holders, provides incumbent and competitive LEC services and long distance services primarily in rural areas in 16 states.[5] Windstream, through its subsidiaries, provides local and long distance telephone services to approximately three million residential and business access lines, broadband and high-speed data services to more than one million customers, and video services through a partnership with DISH. Iowa Telecom and Windstream provide service as incumbent LECs in three adjacent markets: Iowa Telecom's Percival exchange is adjacent to Windstream's Nebraska City, NE and Union, NE exchanges; Iowa Telecom's Thurman exchange is adjacent to Windstream's Union, NE and Murray, NE exchanges; and Iowa Telecom's Redding exchange is adjacent to Windstream's Grant City, MO and Allendale, MO exchanges.

On November 23, 2009, Iowa Telecom and Windstream, and Buffalo Merger Sub, Inc. (Buffalo), a Delaware corporation and direct wholly owned subsidiary of Windstream, signed an Agreement and Plan of Merger (Agreement) providing for the merger of Iowa Telecom and Buffalo. Pursuant to the terms of the Agreement, Iowa Telecom will merge with and into Buffalo, with Buffalo to be the surviving corporation following the closing of the merger. After consummation, Buffalo will be renamed Windstream Iowa Communications, Inc.

Applicants state that a grant of this application will serve the public interest, convenience, and necessity. Applicants state that the proposed transaction will have no immediate, adverse affect on the rates for service that customers currently experience. Applicants maintain that the proposed transaction will strengthen Windstream's position as a competitive LEC outside of its incumbent LEC footprint. Applicants contend that the proposed transaction will result in efficiencies and economies of scale that will improve the combined company's economic viability, and thus, its ability to attract financing to invest in and offer new services.

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a non-streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before February 4, 2010** and reply comments **on or before February 11, 2010**. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: http://fjallfoss.fcc.gov/ecfs2/ or the Federal eRulemaking Portal: http://www.regulations.gov.

---

[4] Applicants state that Iowa Telecom Communications, Inc. and IT Communications, LLC also have a minimal presence in Nebraska.

[5] Applicants state that Windstream's subsidiaries provide service in the following states: Alabama, Arkansas, Florida, Georgia, Kentucky, Mississippi, Missouri, Nebraska, North Carolina, New York, New Mexico, Ohio, Oklahoma, Pennsylvania, South Carolina, and Texas.

- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- Effective December 28, 2009, all hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

In addition, one copy of each pleading must be sent to each of the following:

1) The Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, www.bcpiweb.com; phone: (202) 488-5300 fax: (202) 488-5563;

2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, tracey.wilson-parker@fcc.gov;

3) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;

4) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

5) People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: FCC504@fcc.gov or phone: 202-418-0530 or TTY: 202-418-0432.

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; telephone: (202) 488-5300; fax: (202) 488-5563; e-mail: fcc@bcpiweb.com; url: www.bcpiweb.com.

For further information, please contact Tracey Wilson-Parker at (202) 418-1394 or Dennis Johnson at (202) 418-0809.

- FCC -