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Federal Communications Commission
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DA 10-305

Released: February 23, 2010

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF PIEDMONT COMMUNICATIONS SERVICES, INC. AND PIEDMONT TELEPHONE MEMBERSHIP CORPORATION TO SURRY TELEPHONE MEMBERSHIP CORPORATION

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 10-35

Comments Due: March 9, 2010

Reply Comments Due: March 16, 2010

On January 27, 2010, Piedmont Communications Services, Inc. (PCS), Piedmont Telephone Membership Corporation (PTMC), and Surry Telephone Membership Corporation (STMC) (collectively, the Applicants), filed an application pursuant to section 63.03 of the Commission's rules¹ to transfer control of PCS from PTMC to STMC. Applicants do not seek streamlined treatment for this application and closed this transaction without Commission approval on January 1, 2009.

PCS was a wholly owned subsidiary of PTMC at the time of the merger and, as a result of the merger, PCS became a wholly owned subsidiary of STMC. At the time of the merger, both PTMC and PCS provided telecommunications services only in Davidson County, North Carolina. PTMC was a local exchange carrier and its subsidiary, PCS, operated as a reseller of long distance services. STMC, a North Carolina cooperative with no ten percent or greater interest holders, is a local exchange carrier that operates in Surry and Stokes Counties in North Carolina. As a result of the merger with PTMC into STMC, STMC now also provides local exchange service in Davidson County, North Carolina. STMC had a subsidiary named Surry Telecommunications, Inc. (STI) that operated as a reseller of long distance services in Surry and Stokes Counties, until STI was merged in PCS as of July 1, 2009. PCS now operates in Davidson, Surry, and Stokes Counties in the same portions of those counties as STMC. Other than PCS, STMC has no affiliates at this time that provide telecommunication services.

¹ 47 C.F.R. § 63.03; see 47 U.S.C. § 214. Applicants are also filing an application for the transfer of control of authorization for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications. Applicants also filed a request for Special Temporary Authority (STA) for a period of sixty (60) days to allow PCS to continue to provide interstate telecommunications services pending action on this application for permanent section 214 authority. See Letter from David L. Nace to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket 10-35 (filed Jan. 27, 2010). The Wireline Competition Bureau granted the STA request on February 23, 2010. The Applicants also filed notification of a *pro forma* assignment that occurred on July 1, 2009, when Surry Telecommunications, Inc., a domestic services reseller and subsidiary of STMC, was merged into PCS. Applicants filed a supplement to their application on February 19, 2010.

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 effect on the rates for service that customers currently experience. Applicants maintain that the proposed transaction will continue to provide a high quality of service and that the merger of the two companies was recommended by the Board of Directors of each company and approved by the member owners.

Domestic Section 214 Application Filed for the Transfer of Control of Piedmont Communications Services, Inc. and Piedmont Telephone Membership Corporation to Surry Telephone Membership, WC Docket No. 10-35 (filed Jan. 27, 2010).

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 March 9, 2010** and reply comments **on or before March 16, 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>.
- **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., fcc@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) David Krech, Policy Division, International Bureau, david.krech@fcc.gov; and
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

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

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