PUBLIC NOTICE

Federal Communications Commission
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DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF PIEDMONT TELEPHONE MEMBERSHIP CORPORATION TO SURRY TELEPHONE MEMBERSHIP CORPORATION

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NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 10-219

Comments Due: November 12, 2010
Reply Comments Due: November 18, 2010

On October 20, 2010, Piedmont Telephone Membership Corporation (Piedmont) and Surry Telephone Membership Corporation (Surry) (together, Applicants) filed an application pursuant to section 63.03 of the Commission's rules to transfer control of Piedmont as the result of a merger of Piedmont into Surry.[1] Applicants do not seek presumptive streamlined treatment for this application under section 63.03(b) of the Commission's rules[2] and closed the transaction without authority on January 1, 2009.

Piedmont, a North Carolina corporation, provided incumbent local exchange carrier (LEC) service in Davidson County, North Carolina. Its subsidiary, Piedmont Communications Services, Inc. (PCS), operated as a reseller of long distance services in Piedmont's service territory. Piedmont was a member owned cooperative with no 10 percent or greater interest holders. Surry, a North Carolina corporation and member owned cooperative with no 10 percent or greater interest holders, provides incumbent LEC service in Surry and Stokes Counties in North Carolina. As a result of the January 1, 2009 merger of Piedmont into Surry, Surry now provides incumbent LEC service in Piedmont's former territory in Davidson County.[3] Surry had a subsidiary named Surry Telecommunications, Inc. (STI) that operated as a reseller of long distance services in Surry and Stoke Counties until STI was merged into PCS as of July 1, 2009. PCS now provides resold long distance services in Davidson, Surry, and Stokes

[1] 47 C.F.R § 63.03; *see* 47 U.S.C. § 214.

[2] 47 C.F.R. § 63.03(b).

[3] Applicants filed a request for Special Temporary Authority (STA) to allow Surry to continue to provide uninterrupted service pending action on the application. The Wireline Competition Bureau granted the STA for 60 days on October 28, 2010. Letter from David L. Nace to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-219 (filed Oct. 20, 2010). A grant of the application will be without prejudice to any enforcement action by the Commission for non-compliance with the Communications Act of 1934, as amended, or the Commission's rules.

Counties where Surry provides incumbent LEC services.[4] Applicants state that Surry has no other telecommunications affiliates and that the service territories of Piedmont and Surry were not adjacent.

Applicants assert that the proposed transaction is in the public interest because it provides financial resources for a continuation of high quality telecommunications services to Piedmont's rural customers, and that the transaction has not harmed competition.

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 of control 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 November 12, 2010** and reply comments **on or before November 18, 2010**. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's e-Rulemaking Portal, or (3) by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

Under the Commission's procedures for the submission of filings and other documents, submissions in this matter may be filed electronically (*i.e.*, though ECFS) or by hand delivery.

- 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.

- 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.

Additionally, filers must deliver courtesy copies by email to the following Commission staff:

[4] On March 31, 2010, the Wireline Competition Bureau granted a section 214 application to transfer control of PCS to Surry, but Applicants did not seek authorization to transfer Piedmont in that application. *Notice of Non-Streamlined Domestic Section 214 Application Granted*, WC Docket No. 10-35, Public Notice, 25 FCC Rcd 3295 (WCB 2010).

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4) David Krech, Policy Division, International Bureau, david.krech@fcc.gov; and

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

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.

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For further information, please contact Tracey Wilson at (202) 418-1394 or Jodie May at (202) 418-0913.

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