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DA 11-1423
Released: August 17, 2011

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL
OF ANDREW TELEPHONE COMPANY, INC. TO
LAMOTTE TELEPHONE COMPANY, INCORPORATED**

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 11-138

Comments Due: August 31, 2011
Reply Comments Due: September 7, 2011

On August 9, 2011, the current shareholders of Andrew Telephone Company, Inc. (Andrew) and LaMotte Telephone Company, Incorporated (LaMotte) (together, Applicants) filed an application pursuant to section 63.03 of the Commission's rules to transfer control of Andrew to LaMotte.¹

Applicants do not seek streamlined processing for this application under section 63.03(b) of the Commission's rules.² Andrew, an Iowa corporation, is a rural incumbent local exchange carrier (LEC) serving approximately 280 access lines in the Andrew exchange in the city of Andrew in Jackson County, Iowa, located in the northeastern portion of the state.³ The following U.S. citizens own at least 10 percent of the equity of Andrew: Robert Mauer (30 percent), Virginia Mauer Cox (30 percent), Valerie Mauer Weis (30 percent), and Ed Buchanan (10 percent). LaMotte, an Iowa corporation, is a rural incumbent LEC serving approximately 700 access lines in the LaMotte exchange, which includes the cities of LaMotte and St. Donatus in Jackson County, Iowa, and Zwingle in Dubuque County, Iowa. LaMotte also holds a PCS broadband license and provides digital television service in and around LaMotte, St. Donatus, Zwingle, and Cottonville, Iowa. Applicants state that LaMotte has approximately 181 shareholders, all U.S. citizens and none of whom is permitted by the company's articles of incorporation to own or control, directly or indirectly, more than three percent of its ownership. Applicants further state that the Andrew and LaMotte service areas are adjacent to each other. Because of the incumbent LEC

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing an application for transfer of control associated with authorizations for wireless services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

² 47 C.F.R. § 63.03(b).

³ Andrew also holds a PCS broadband license for service in the city of Andrew.

adjacent service areas the Applicants have identified, this application is not entitled to presumptive streamlined treatment.⁴

Pursuant to the terms of the proposed transaction, LaMotte will acquire all of the issued and outstanding stock of Andrew. Andrew will continue as an incumbent LEC in its service territory. Applicants state that the proposed transaction is in the public interest because LaMotte is an experienced rural incumbent LEC and will ensure the continued availability of high quality telecommunications services at affordable rates for Andrew's customers.

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 August 31, 2011** and reply comments **on or before September 7, 2011**. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), or (2) 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/>.
- **Paper Filers:** Parties who choose to file by paper must file an original and one copy 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. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes 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.

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

⁴ 47 C.F.R. § 63.03(b)(2)(iii).

- 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) Jodie May, Competition Policy Division, Wireline Competition Bureau, jodie.may@fcc.gov; and
- 4) 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.

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

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