



# PUBLIC NOTICE

Federal Communications Commission  
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DA 17-1229  
December 20, 2017

## DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION OF ASSETS OF MERRIMAC COMMUNICATIONS, LTD. BY TDS METROCOM, LLC

### STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 17-343

**Comments Due: January 3, 2018**

**Reply Comments Due: January 10, 2018**

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by Merrimac Communications, Ltd. (Merrimac) and TDS Metrocom, LLC (TDS Metrocom) (collectively, Applicants), pursuant to section 214 of the Communications Act of 1934, as amended, and sections 63.03-04 of the Commission's rules, requesting consent to transfer substantially all of Merrimac's telecommunications assets to TDS Metrocom.<sup>1</sup>

Merrimac, a Wisconsin limited liability company, provides competitive voice services, cable, and broadband services in South Central Wisconsin, primarily in the communities of Merrimac, Sauk City, and Prairie du Sac, as well as in portions of the surrounding rural areas in Sauk, Columbia, and Dane Counties, Wisconsin.

TDS Metrocom is a Delaware limited liability company providing competitive telecommunications services in Wisconsin, Illinois, Michigan, Minnesota, and North Dakota. It is a wholly owned subsidiary of TDS Telecom LLC (TDS Telecom), a Delaware limited liability company which, in turn, is a wholly owned subsidiary of Telephone and Data Systems, Inc. (TDS), a Delaware corporation. TDS Telecom provides incumbent and competitive local exchange carrier (LEC) services in 27 states. TDS provides wireless services in 23 states through its 83.4 percent ownership interest in United States Cellular Corporation (U.S. Cellular) and also provides cable service in Colorado, New Mexico, Texas, Utah, and Oregon. Applicants state that TDS is controlled by a voting trust whose trustees are the following U.S. citizens: LeRoy T. Carlson, Jr., Walter C.D. Carlson, Prudence E. Carlson, and Dr. Letitia G.C. Carlson. BlackRock Inc., a Delaware corporation, and its affiliates own 15.6 percent of the stock of TDS. Applicants state that TDS does not provide wireline telecommunications services in Merrimac's service territory. They state that U.S. Cellular does provide wireless service in Merrimac's service territory.

<sup>1</sup> See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. Applicants filed a supplement to their domestic section 214 application on December 19, 2017.

Pursuant to the terms of the proposed transaction, TDS Metrocom will acquire substantially all of the assets of Merrimac, including its customers. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(ii) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.<sup>2</sup>

Domestic Section 214 Application Filed for the Acquisition of Assets of Merrimac Communications, Ltd. by TDS Metrocom, LLC, WC Docket No. 17-343 (filed Dec. 5, 2017).

## **GENERAL INFORMATION**

The acquisition of assets identified herein has been found, upon initial review, to be acceptable for filing as a 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 January 3, 2018**, and reply comments **on or before January 10, 2018**. Pursuant to section 63.52 of the Commission's rules, 47 CFR § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents in this proceeding using the Commission's Electronic Comment Filing System (ECFS): <http://apps.fcc.gov/ecfs/>.

### **In addition, e-mail one copy of each pleading to each of the following:**

- 1) Myrva Charles, Competition Policy Division, Wireline Competition Bureau, [myrva.charles@fcc.gov](mailto:myrva.charles@fcc.gov);
- 2) Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, [gregory.kwan@fcc.gov](mailto:gregory.kwan@fcc.gov); and
- 3) Jim Bird, Office of General Counsel, [jim.bird@fcc.gov](mailto:jim.bird@fcc.gov).

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](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), 1-888-835-5322 (tty).

The proceeding in this Notice shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1)

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<sup>2</sup> 47 CFR § 63.03(b)(2)(ii).

list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b), 47 CFR § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For further information, please contact Myrva Charles at (202) 418-1506 or Gregory Kwan at (202) 418-1191.

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