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Womble Bond Dickinson (US) LLP

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
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***Re: Interconnected VOIP Numbering Authorization
Application filed by Consolidated Communications
Enterprise Services, Inc., Pursuant to Section 52.15(g)(3) of
the Commission's Rules, WC Docket No. 23-6***

Dear Ms. Dortch:

On December 19, 2022, Consolidated Communications Enterprise Services, Inc. (“CCES”), filed an application in the above-referenced docket seeking direct access to numbering resources for provision of interconnected VOIP services (the “Application”). On July 7, 2023, CCES filed a supplement to that application (the “Supplement”) providing additional detail concerning the “facilities readiness” requirements of Sections 52.15(g)(2) and 52.15(g)(3)(i)(D) of the Commission’s rules.¹ At the request of the staff of the Wireline Competition Bureau (the “Bureau”), through counsel, CCES now further supplements its Application to clarify two additional matters.

First, CCES confirms that the certifications and other factual representations it provided in the Application, as well as the further information it provided concerning facilities readiness in the Supplement, apply to all states nationwide for which CCES seeks direct access to numbering resources in this proceeding, including without limitation Maine, New Hampshire, and Vermont. Those states were the explicit subject of a previous grant of authority for direct access to numbering resources for Enhanced Communications of Northern New England, Inc., which merged into CCES, effective as of January 1, 2019.²

Second, CCES calls the Bureau’s attention to the International Bureau’s 2021 grant of a Petition for Declaratory Ruling seeking authority for foreign investment in CCES’s controlling US parent, Consolidated Communications, Inc. (“CCI”), to exceed the 25 percent benchmark for foreign investment contained in Section 310(b)(4) of the Communications Act of 1934, as amended. This Declaratory Ruling permitted an investment in CCI’s parent, Consolidated Communications Holdings, Inc. (“Consolidated”) through a group of funds affiliated with

¹ 47 C.F.R. §§ 52.15(g)(2), 52.15(g)(3)(i)(D).

² See Application at 3; Public Notice, WC Docket No. 18-204, “Notice of Interconnected VoIP Numbering Authorization Granted,” DA 18-1191, 33 FCC Rcd 11265 (Wir. Comp. Bur. 2018).

Searchlight Capital Partners, L.P. (“Searchlight”).³ The International Bureau authorized up to 100 percent aggregate foreign ownership of CCI, as the controlling U.S. parent of Commission licensees, subject to the terms and conditions set forth in section 1.5004 of the Commission’s rules, 47 C.F.R. § 1.5004.⁴ In addition, it granted advance approval for each of the identified foreign entities to increase its indirect equity and/or voting interests in CCI up to a non-controlling 49.99 percent.⁵

CCI’s parent, Consolidated Communications Holdings, Inc., recently retabulated its ownership data for its most recent Proxy Statement, which is incorporated herein by reference.⁶ Those recent data confirm that there have been no substantial changes in the Searchlight-affiliated ownership percentages previously disclosed in connection with the Petition for Declaratory Ruling⁷ and approved by the Commission. CCI’s foreign ownership today remains within the limits of the authority previously granted by the Commission, with no substantive changes.

Very truly yours,

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³ 47 U.S.C. § 310(b)(4); Public Notice, IB Docket No. IB 21-172, Grant of Consolidated Communications Holdings, Inc. and Searchlight III CLV, L.P. Petition for Declaratory Ruling, DA 21-1468, 36 FCC Rcd 16416 (Int. Bur. 2021).

⁴ *Public Notice* at 7.

⁵ *Id.*

⁶ Consolidated Communications Holdings, Inc., Proxy Statement Pursuant to Section 14(a) of the Securities Exchange Act of 1934 (Mar. 21, 2023), at 12, available at: <https://d18rn0p25nwr6d.cloudfront.net/CIK-0001304421/8e90954f-dc29-4cc1-ab39-04a3639474eb.pdf>.

⁷ See Supplement of Consolidated Communications Holdings, Inc. and Searchlight III CVL, L.P., IBFS File No. ISP-PDR-20210105-00001 (filed Nov. 17, 2021) (disclosing the parties updated expectation that, following completion of the second stage of the Transaction, Searchlight III CVL, L.P. (“Searchlight Aggregator”) would hold approximately 34.55% of Consolidated’s common voting stock and approximately 49.21% of Consolidated’s equity, including voting common shares and non-voting preferred shares); See also Supplement of Consolidated Communications Holdings, Inc. and Searchlight III CVL, L.P., IBFS File No. ISP-PDR-20210105-00001 (filed Dec. 27, 2021); Application for Transfer of Control of CCES, ULS File No. 0009825803 (granted Dec. 15, 2021) (transfer of indirect *de jure* ownership of CCES to Searchlight Aggregator through the transfer of more than 50 percent of the aggregate equity (but not 50 percent of the voting stock) of Consolidated).