

SUITE 200 2154 WISCONSIN AVENUE, NW WASHINGTON, D.C. 20007 TELEPHONE 202-944-9500 FAX 202-944-9501

www.woodsaitken.com

LINCOLN OFFICE SUITE 500 301 SOUTH 13TH STREET LINCOLN, NEBRASKA 68508-2578 TELEPHONE 402-437-8500 FAX 402-437-8558

OMAHA OFFICE SUITE 525 10250 REGENCY CIRCLE OMAHA, NEBRASKA 68114-3754 TELEPHONE 402-898-7400 FAX 402-898-7401

THOMAS J. MOORMAN

Direct Dial: 202-944-9502 E-Mail: tmoorman@woodsaitken.com Admitted to practice only in the District of Columbia

October 13, 2009

E-FILING VIA IBFS

Ms. Marlene H. Dortch Secretary Federal Communications Commission 445 12th Street SW, Room TW-B204 Washington, DC 20554

Re:

Supplement to Eastern Kansas Holdings, Inc., International Section 214 Assignment Application, Granted June 10, 2005 (ITC-ASG-20050405-00140) Of Original Grant, File No. International 214 Authority – ITC-214-20000310-00140

Dear Ms. Dortch,

Attached please find a supplement to the application noted above. Please direct any inquiries concerning this matter to the undersigned.

Respectfully submitted,

Thomas J. Moorman

Attachment

Supplement to Eastern Kansas Holdings, Inc. International Section 214 Assignment Application Granted June 10, 2005 (ITC-ASG-20050405-00140) of Original Grant, File No. International 214 Authority – ITC-214-20000310-00140

Page 1 of 2

This supplement is being filed to correct certain ownership information regarding the authorization holder, Eastern Kansas Holdings, Inc. ("Eastern Kansas").

After the grant of the initial assignment application to Eastern Kansas, the ultimate owners of Eastern Kansas, American Broadband Communications, LLC ("American Broadband") and Signal Equity Partners II, L.P. ("Signal") formed American Broadband Acquisition Corporation ("ABAC") on June 9, 2005 and ABB Holdco, Inc. ("Holdco") on June 16, 2005. American Broadband and Signal formed ABAC and Holdco in order to create the corporate structure for the acquisition of Eastern Kansas and other planned acquisitions.

Prior to the consummation of the transaction associated with Eastern Kansas, on June 17, 2005, Eastern Kansas became a wholly owned subsidiary of ABAC, a U.S. corporation organized under the laws of the State of North Carolina. ABAC, in turn, is 100% owned by ABB Holdco, Inc. ("Holdco"), a U.S. corporation organized under the laws of the State of Delaware. The 10% or greater shareholders of Holdco are American Broadband Communications, LLC ("American Broadband") (49%) (a U.S. limited liability company organized under the laws of the State of Delaware) and Signal Equity Partners II, L.P. ("Signal") (27%) (a U.S. limited partnership organized under the laws of the State of Delaware).²

As discussed below, the omission of not providing a *pro forma* notification of the corporate hierarchy of Eastern Kansas did not affect its reported ultimate ownership. Rather, the introduction of Holdco and ABAC introduced two intermediate corporate entities that are successive, wholly owned subsidiaries respectively of the ultimate owners of Eastern Kansas, American Broadband and Signal. As such, Eastern Kansas submits that the transfer was *pro forma* in that it was part of a "transfer from a corporation to wholly-owned direct or indirect subsidiary thereof or vice versa. . . ." 47 C.F.R. §63.24(d) Note 2. Moreover, the omission of the existence of Holdco and ABAC did not change the ultimate control of Eastern Kansas that continued to reside in Signal as explained below

As of June 11, 2007 and with respect to American Broadband, Patrick L. Eudy, a U.S. citizen and telecommunications executive, is the only member of American Broadband with successive multiplied interests of 10% or greater of the equity ownership in Eastern Kansas.

¹ As noted in the July 17, 2009 *pro forma* assignment application, Eastern Kansas was merged into American Broadband Acquisition Corporation on December 31, 2008.

² Signal also holds non-voting, preferred stock in Holdco.

Supplement to Eastern Kansas Holdings, Inc. International Section 214 Assignment Application Granted June 10, 2005 (ITC-ASG-20050405-00140) of Original Grant, File No. International 214 Authority – ITC-214-20000310-00140

Page 2 of 2

The only entity in Signal with successive multiplied interests of 10% or greater in Eastern Kansas is Garden House, LLC (a U.S limited liability company organized under the laws of the State of Delaware and whose principal business is investment), which owns a 58.9% limited partnership in Signal. Garden House, LLC, in turn, is owned 95% by Eliot Nolen, a U.S. citizen and investor. At the same time, however, Signal's operations are controlled by its General Partner, Signal Equity Advisors, II, LLC ("SEA II"). SEA-II owns a 2.94 percent interest in Signal. SEA-II owners of 10% or greater are each citizens of the United States and are Timothy P. Bradley (22.3%); Alfred J. Puchala, Jr. (22.3%); Christopher Nolen (19.6%); Malcom C. Nolen (19.6%) and Charles T. Lake II (11.2%).

Finally, and with respect to Eastern Kansas, Signal seeks to update the ownership percentage it has in Holdco. Signal notes that in the original application of Eastern Kansas it was reported that Signal owned 51% of the ultimate ownership in Eastern Kansas. In fact, Signal's interest was and is 27% as reported herein. However, Eastern Kansas and Signal respectfully submit that the incorrectly stated percentage of Holdco that Signal owns was immaterial to the ultimate control of Eastern Kansas as that control remained in Signal. Specifically, Signal remained able to designate and has designated the majority of the Board of Directors of Holdco which, in turn, allowed Signal to designate those individuals that oversaw the day-to-day operations of Eastern Kansas.

DECLARATION

I, Greg Killpack, President of American Broadband Acquisition Corporation (the "Company"), do hereby declare under penalties of perjury that I have read the foregoing supplement, and the information contained therein regarding the Company and its affiliates is true and accurate to the best of my knowledge, information, and belief.

Greg Killpack President Date: 10-13-09