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Telecom Division  
International Bureau

FOR MELLON

MAR 26 2001

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of  
Chorus Communications Group, Ltd.

Streamlined ITC-T/C-20010326-00164  
PIONEER COMMUNICATIONS, INC.

Petition to transfer authority under  
Section 214 of the Communications Act  
of 1934, as amended, for global  
authority to operate as an international  
resale carrier

**Application**

Pioneer Communications, Inc. ("Pioneer" or "Transferor") and Chorus Communications Group, Ltd. ("Chorus" or "Transferee") hereby request authority, pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and Section 63.18 of the Commission's Rules, 47 C.F.R. § 63.18, for the transfer control of Pioneer's Section 214 authority to provide international resale services between the United States and international points from Pioneer to Chorus, File No. ITC-90-145.

Dickeyville Telephone Corporation, then a wholly owned subsidiary of Pioneer, was originally granted authority under Section 214 of the Act in FCC File No. ITC-90-145. Although the Commission's records (and Pioneer's files) are not clear, it appears that pursuant to a pro forma transfer of control (FCC File No. ITC-T/C-19961220-00002) Pioneer currently holds this Section 214 authority. The parties seek FCC approval of the transfer of control over this authority to Chorus.

The subject transfer of control was part of a larger transaction, effective June 1, 1997, by which Pioneer and Mid-Plains, Inc. ("Mid-Plains") merged with and into wholly owned subsidiaries of a newly created parent corporation, Chorus, leaving Pioneer and Mid-Plains as wholly owned subsidiaries of Chorus (the "Chorus Merger"). The consideration for the Chorus Merger was the issuance of shares of Chorus to the shareholders of Pioneer and Mid-Plains in exchange for their shares in Pioneer and Mid-Plains.

The parties inadvertently closed the Chorus Merger without having filed applications seeking the Commission's approval of the resulting transfer of control. In the process of preparing for the pending acquisition of Chorus by Telephone and Data Systems, Inc. ("TDS"), Chorus discovered this failure and notified Commission staff. A similar request was made in the application for transfer of control over Pioneer from Chorus to TDS in File No. ITC-T/C-20010307-00128. Based on discussions with Commission Staff, that request was withdrawn and is now being presented here, in a separate application.

In light of the International and Enforcement Bureaus' January 30, 2001 public notice, DA 01-188,<sup>1</sup> Chorus is filing this application seeking Commission approval for the transfer of control that occurred in the Chorus Merger. The parties request that the Commission approve this application and resolve the apparent prior failures and uncertainties and that no further action be required for the change of control over Pioneer's Section 214 authorization for the Chorus Merger.

Pioneer serves 2,918 pre-subscribed long distance customers. Pioneer provides long distance service to approximately 0.08% of Wisconsin customers.<sup>2</sup> As part of its long distance services offering, Pioneer provides international service to these customers. All international services are provided through the resale of other carriers' services.

The Chorus Merger increased the efficiency in providing high-quality services in the communities served by Pioneer as well as competition in the provision of telecommunications services and served the public interest, convenience and necessity by promoting competition in the international services market. Competition in this market benefitted U.S. consumers by increasing service options and lowering prices.

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<sup>1</sup> DA 01-188 announced a 90-day period in which the International and Enforcement Bureaus do not expect to initiate enforcement actions against entities filing late applications for authorizations for transfers of or changes of control over 214 authorizations.

<sup>2</sup> All figures in this section are as of December 31, 2000.



### Section 63.18 Information

The following information is submitted, as required by Section 63.18 of the Commission's Rules, in support of the parties request for authorization of the transfer.

- (a) The name, address and telephone number of Pioneer is:

Pioneer Communications, Inc.  
140 North Monroe Street  
Lancaster, WI 53813  
Telephone: (608) 723-4140

Name and Address of Chorus is:

Chorus Communications Group, Ltd.  
8501 Excelsior Drive  
Madison, WI 53717  
Telephone: (608) 826-4200

- (b) Pioneer is a corporation organized under the laws of the State of Wisconsin. Chorus is a corporation organized under the laws of the State of Wisconsin.

- (c) Correspondence concerning this application should be sent to:

Grant Spellmeyer  
Chorus Communications Group, Ltd.  
8501 Excelsior Drive  
Madison, WI 53717

Telephone: (608) 826-4440

with a copy to:

Warren Lavey, Esq.  
Skadden, Arps, Slate, Meagher & Flom  
333 W. Wacker Dr. Suite 2300  
Chicago, IL 60606  
voice: (312) 407-0830

fax: (312) 407-0411

- (d) Chorus Networks, Inc., a wholly owned subsidiary of Chorus, then known as Mid-Plains Communications Systems, Inc., was granted effective on May 14, 1994 authority under Section 214 of the Act in FCC File No. ITC-94-239 to provide resold international switched services. Chorus Networks, Inc. serves 16,411 pre-subscribed long distance customers.
- (e) Pioneer requests global resale Section 214 authority pursuant to the terms and conditions of Section 63.18(e)(2) of the Commission's Rules. Pioneer certifies that it shall comply with the terms and conditions contained in Sections 63.21 and 63.23 of the Commission's Rules.
- (f) At this time, Chorus seeks no other authorization available under Section 63.18(e).
- (g) Not applicable.
- (h) All of Pioneer's stock is owned by Chorus. Chorus is a public company. There are no shareholders holding at least ten percent of the stock of Chorus. Neither Chorus nor Pioneer has an interlocking directorate with any foreign carrier.
- (i) Transferee certifies that it is not itself a foreign carrier and is not affiliated with a foreign carrier.
- (j) Transferee certifies that it does not seek to provide international telecommunications services to any destination for which the conditions described in Section 63.18(j)(1-4) are true.
- (k) Not applicable.
- (l) Not applicable.
- (m) Not applicable.
- (n) Transferee certifies that it has not agreed and will not agree in the future to accept any direct or indirect special concessions from a foreign carrier or administration with regard to traffic or revenue flows between the United States and any foreign countries the company is authorized to serve.

- (o) Transferee certifies that, to the best of its knowledge, information and belief, neither Transferee nor any party to this application is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853a.
- (p) The parties desire streamlined application processing pursuant to Section 63.12 of the Commission's Rules. Neither the Transferee nor any of its subsidiaries, including Chorus Networks, Inc. and Pioneer, are affiliated with any foreign carrier in any market. Nor are Chorus or any of its subsidiaries affiliated with a dominant U.S. carrier whose international switched or private line services it seeks to resell. Chorus does not provide and seeks no authority to provide switched basic services over private lines to any country, including those for which the FCC has not authorized the provision of switched services over private lines. Both the Transferor and the Transferee qualify for streamlined processing under to Section 63.12(c) of the Commission's Rules.

**Conclusion**

In conclusion, Pioneer and Chorus certify that all of the information in this application is accurate and correct.

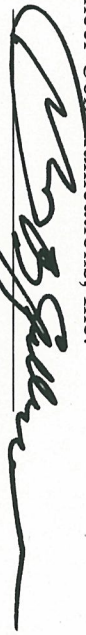


For these reasons, Pioneer and Chorus respectfully request that the Commission grant this application.

Respectfully submitted,

Pioneer ~~Communications~~, Inc.

By:



Name:

Grant B. Spillner

Title:

V.P. + General Counsel (officer)

Date:

3/22/01

Respectfully submitted,

Chorus Communications Group, Ltd.

By:



Name:

Grant B. Spillner

Title:

V.P. + General Counsel (officer)

Date:

3/22/01