

R17-08 PROCEDURES FOR TRANSFERS OF CONTROL

- (a) A CLP holding a Certificate is exempt from the provisions of G.S. 62-111(a) requiring approval of transfers of control transactions, except as set forth in this Rule.
- (b) A CLP holding a Certificate shall file a Notice with the Commission immediately upon filing an application for a domestic Section 214 License Transfer with the FCC pursuant to 47 C.F.R. § 63.03. Coincident with the filing with the NCUC, the CLP shall serve a copy of such Notice on any ILEC in North Carolina with which the CLP has entered into an interconnection agreement approved by this Commission.
- (c) Notwithstanding the provision of subsection (b), the Commission retains authority to make inquiries, initiate proceedings and impose conditions on a CLP's Certificate(s) including reporting requirements, to protect consumer interests.
- (d) Notwithstanding the close of a Section 214 License Transfer, any proceeding or investigation initiated by the Commission pursuant to subsection (c) shall continue in the Commission's discretion, and the Commission shall retain the authority to impose conditions on a CLP's Certificate(s) if necessary to protect consumer interests.
- (e) A CLP holding a Certificate shall file a Notice with the Commission no later than 30 days after control of the carrier is transferred pursuant to a *Pro forma* Transaction.
- (f) Nothing in this rule shall be deemed to exempt an entity from the requirements of Rule R17-2.

(NCUC Docket No. P-100, Sub 163; 8/24/06.)