

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON D.C. 20554**

In the Matter of:)
)
Applications Filed for The Transfer of) WC Docket No. 21-350
Control of Certain Subsidiaries of Lumen)
Technologies, Inc. (Formerly Known as)
CenturyLink) to Apollo)
_____)

**REPLY COMMENTS OF THE
MICHIGAN PUBLIC SERVICE COMMISSION**

Introduction

The Federal Communications Commission (FCC) released a Public Notice on December 16, 2021 (Public Notice) requesting comments regarding the applications filed by Lumen Technologies, Inc. (Lumen) and Connect Holdings II LLC, (Connect) for assignment or transfer of control of licenses and authorizations from Lumen to Connect. Connect will be controlled by several entities affiliated with Apollo Global Management, Inc (collectively, Apollo)¹. The applications propose to transfer control of incumbent local exchange carriers (ILECs) in 20 states from Lumen to Apollo, including four currently operating in the state of Michigan, primarily in the rural areas of our state, as well as CenturyTel Broadband Services, LLC. The Michigan Public Service Commission (MPSC) appreciates the opportunity to provide

¹ <https://ecfsapi.fcc.gov/file/1216922525877/DA-21-1586A1.pdf>

reply comments on this important issue. The MPSC does not have the benefit of explicit state statutory authority to review the transfers of control proposed in this proceeding and consequently must look to the FCC to ensure the transfer is in the best interest of consumers. On January 18, 2022, the Communications Workers of America (CWA) filed comments.² Per the schedule in the Public Notice, the MPSC offers the following reply comments to the FCC.

Discussion

In its application Apollo states that the transfer “will provide substantial capital and managerial resources to expand the availability of symmetrical gigabit FTTP [Fiber to the Premises] broadband in that service area.” And that “the planned fiber upgrade will include a substantial number of these rural areas.”³ The MPSC is encouraged by Apollo’s plans to expand broadband, particularly to rural areas, but seeks the FCC’s assistance to ensure these plans are implemented. As discussed by the CWA in their comments, the plans outlined by Apollo lack specificity. The MPSC agrees with the CWA that the FCC should require more specific information on Apollo’s FTTP deployment plans so it can thoroughly evaluate whether these plans are in the public interest. The MPSC also agrees with the CWA that the FCC should impose broadband deployment requirements as a

² CWA comments.

<https://ecfsapi.fcc.gov/file/10118226025729/CWA%20Comments%20WC%20Docket%20No%2021-350%2001-18-2022.pdf>

³ Apollo Application Attachment 1 Page 3.

<https://ecfsapi.fcc.gov/file/10901068868912/Connect%20Holding%2C%20LLC%20Application%20and%20Public%20Interest%20Statement.pdf>

condition of approval to ensure the public benefits that Apollo states in its application are realized.

The MPSC urges the FCC to ensure that there is equitable access to new services and upgrades in the ILEC territories being transferred and that no customers will lose their service. Any planned copper retirements should be conditioned on a suitable alternative to ensure no customers are left without essential telecommunications services. In addition, Apollo states in its application that it will “explore the use of alternatives to copper for broadband where available, including fixed wireless.”⁴ While wireless service has many benefits, it is not always an appropriate alternative to wireline service and the MPSC shares the concerns of the CWA that fixed wireless should not receive the same treatment as fiber in any broadband deployment requirements the FCC chooses to impose.⁵

The MPSC also encourages the FCC to consider the commitments agreed to in other similar transactions and consider imposing commitments necessary to avoid any problems that may have been encountered in those proceedings.

Conclusion

Given the MPSC’s limited ability to review the Lumen/Apollo transaction, the MPSC requests that the FCC protect the interest of Michigan’s citizens by undertaking a thorough review of the applications and imposing transaction commitments as needed. The FCC can promote broadband in Michigan, as well as

⁴ Apollo Application Attachment 1, Page 11.

⁵ CWA Comments Page 9.

the 19 other states impacted by this transaction, by requiring the applicants to submit more specific information on their broadband deployment plans and adopt requirements to help ensure they implement these plans. The MPSC also urges the FCC to adopt requirements to ensure equitable deployment of these upgrades and to ensure that no customer in the affected ILECs' service territories lose access to vital telecommunications services.

Respectfully submitted,

**MICHIGAN PUBLIC
SERVICE COMMISSION**

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