

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19A-0735T

IN THE MATTER OF THE LINGO COMMUNICATIONS NORTH, LLC AND MATRIX TELECOM, LLC REQUEST FOR APPROVAL OF PROPOSED CHANGES IN CONTROL OF LINGO COMMUNICATIONS NORTH, LLC AND MATRIX TELECOM TO GARRISON LM LLC.

DECISION GRANTING EXTENSION OF TIME

Mailed Date: May 7, 2020

Adopted Date: May 6, 2020

I. BY THE COMMISSION

A. Statement

1. On April 21, 2020, Lingo Communications, LLC (Lingo), Lingo Communications North, LLC (Lingo North), Matrix Telecom, LLC (Matrix), and Garrison LM LLC (Garrison) (collectively, Applicants) filed a request for an extension of time to complete the transfer of indirect control of licensees to Garrison. Through this Decision, we construe this request as a Motion for Extension of Time (Motion) and grant the Motion. No later than August 31, 2020, Applicants shall inform the Commission that the transfer has completed, or in the alternative, that the remaining requirements will not occur.

B. Statement, Findings, and Conclusions

2. In Decision No. C20-0065, issued January 31, 2020, the Commission granted authority for transactions that would change controlling interests of Commission issued authorities held by Lingo North and Matrix as part of a transaction where Garrison acquires 100 percent voting interest of Lingo. As described in the original application, the transaction involved three potential actions for completion of the transfer: (1) the Change in Board

Composition; (2) the Board Reset; and (3) the Change in Voting Interest. The Commission ordered that the Applicants jointly notify the Commission within 60 days of the anticipated closing date included in the application, *i.e.*, by May 1, 2020, if the transaction were completed, or if the proposed transfer terms are changed prior to the consummation date.

3. On April 21, 2020, Applicants filed a notification of completion and included a request for extension of time. Applicants represent in the filing that, as of March 16, 2020, they have completed the first necessary step for transfer of control, a Change in Board Composition. However, the filing further states that the Applicants will be unable to complete the necessary remaining steps to finalize the transfer by May 1, 2020. Therefore, the Applicants request an extension through August 31, 2020, to inform the Commission that the transfer has completed, or in the alternative to inform the Commission by that same date that the Board Reset or the Change in Voting interest will not occur.

4. We construe the request as a motion for extension of time to jointly notify the Commission as required in Ordering Paragraph 2 of Decision No. C20-0065. We find good cause to grant the Motion, *nunc pro tunc*, as of May 1, 2020, and permit the requested extension. Applicants shall jointly notify the Commission on or before August 31, 2020 that the transfer has completed, or inform the Commission by that same date that the necessary actions will not occur.

II. ORDER

A. The Commission Orders That:

1. The Motion for Extension of Time filed by Lingo Communications, LLC, Lingo Communications North, LLC, Matrix Telecom, LLC, and Garrison LM LLC (collectively, Applicants) on April 21, 2020 is granted, *nunc pro tunc*, as of May 1, 2020.

2. Applicants, or their authorized representatives, shall jointly notify the Commission if the transfer has been terminated or is not completed no later than August 31, 2020, or if the proposed transfer terms are changed prior to the consummation date. The notice shall include the proceeding and decision numbers which granted the authority to execute the transfer.

3. All other conditions and requirements of Decision No. C20-0065 continue to apply.

4. The 20-day period provided for in § 40-6-114, C.R.S., within which to file applications for rehearing, reargument, or reconsideration begins on the first day following the effective date of this Decision.

5. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 6, 2020.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

JOHN GAVAN

MEGAN M. GILMAN

Commissioners