

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF WINDSTREAM KENTUCKY)	
EAST, LLC AND WINDSTREAM KENTUCKY)	
WEST, LLC (1) FOR A DECLARATORY RULING)	
THAT APPROVAL IS NOT REQUIRED FOR)	
THE TRANSFER OF A PORTION OF THEIR)	
ASSETS; (2) ALTERNATIVELY FOR APPROVAL)	CASE NO. 2014-00283
OF THE TRANSFER OF ASSETS; (3) FOR)	
A DECLARATORY RULING THAT)	
COMMUNICATIONS SALES AND LEASING,)	
INC. IS NOT SUBJECT TO KRS 278.020(1); AND)	
(4) FOR ALL OTHER REQUIRED APPROVALS)	
AND RELIEF)	

COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION
TO WINDSTREAM KENTUCKY EAST, LLC AND WINDSTREAM
KENTUCKY WEST, LLC

Windstream Kentucky East, LLC and Windstream Kentucky West, LLC (collectively "Applicants"), pursuant to 807 KAR 5:001, are to file with the Commission the original and ten copies of the following information, with a copy to all parties of record. The information requested herein is due no later than November 3, 2014. Responses to request for information shall be appropriately bound, tabbed, and indexed. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the

preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Applicants shall make timely amendment to any prior response if they obtain information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any request to which Applicants fail or refuse to furnish all or part of the requested information, Applicants shall provide a written explanation of the specific grounds for their failure to completely and precisely respond.

Careful attention should be given to copied material to ensure that it is legible. If the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request.

1. Refer to the response to Item 3 of Staff's First Request for Information ("Staff's First Request"), which states that the contemplated transaction will have a "minimal" legal effect upon easements and rights of way currently owned by Applicant that will be transferred to the REIT.

a. Explain in detail the basis for your contention that "Windstream will transfer its beneficial rights and interests to CSL but [Windstream] will retain title" to easements currently owned by Applicants.

b. Provide citations to and copies of Kentucky statutory, regulatory, and case law that supports your contention that "Windstream will transfer its beneficial

rights and interests to CSL but [Windstream] will retain title” to easements currently owned by Applicants.

c. Explain in detail the basis for your contention that “Windstream will transfer its beneficial rights and interests to CSL but [Windstream] will retain title” to rights of way currently owned by Applicants.

d. Provide citations to and copies of Kentucky statutory, regulatory, and case law that supports your contention that “Windstream will transfer its beneficial rights and interests to CSL but [Windstream] will retain title” to rights of way.

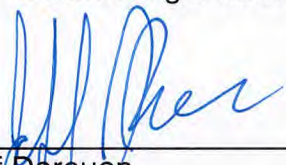
2. Refer to the response to Item 4 of Staff’s First Request, which states that the contemplated transaction will have a “minimal” legal effect upon pole attachments and pole attachment rates currently charged by Applicants and included in the Applicants’ current tariffs.

a. Explain in detail the basis for your contention that transferring legal title to the poles to CSL and then leasing the poles back to Windstream will have minimal legal effect upon pole attachments.

b. Provide Kentucky statutory, regulatory, and case law that supports your contention that the proposed transaction will have minimal legal effect upon pole attachments.

c. Explain in detail the basis for your contention that transferring legal title to the poles to CSL and then leasing the poles back to Windstream will have minimal legal effect upon pole attachment rates.

d. Provide Kentucky statutory, regulatory, and case law that supports your contention that the proposed transaction will have minimal legal effect upon pole attachments.



Jeff Derouen
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DATED OCT 24 2014

cc: Parties of Record

Case No. 2014-00283

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