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PUBLIC SERVICE  
COMMISSION

**Catherine Wang**  
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December 4, 2015

**VIA OVERNIGHT DELIVERY**

Jeff Derouen, Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40602-8294

**Re: Joint Notice of First Communications, LLC and Comcast Phone of Kentucky, LLC  
Regarding a Transaction to Acquire Certain Customers**

Dear Mr. Derouen:

First Communications, LLC (“First Communications”) and Comcast Phone of Kentucky, LLC d/b/a CIMCO, a Division of Comcast Business Services (“Comcast Phone”) (together, the Parties”) submit this letter to advise the Kentucky Public Utilities Commission (“Commission”) that First Communications will acquire certain customers from Comcast Phone. Pursuant to the Commission Order issued in Admin. Case No. 359 on June 21, 1996, the Parties understand that Commission approval is not required for this transaction. Accordingly, this letter is filed for information purposes only to ensure the continuing accuracy of the Commission’s records.

In support, the Parties state as follows:

**I. THE PARTIES**

**A. Comcast Phone of Kentucky, LLC d/b/a CIMCO, a Division of Comcast Business Services**

Comcast Phone is a Delaware limited liability company with its principal place of business at One Comcast Center, Philadelphia, Pennsylvania, 19103-2838. Comcast Phone is authorized to provide local exchange, interexchange and other telecommunications services in Kentucky pursuant to registrations and tariffs under Utility ID 22251722 and 5172200. Comcast Phone will retain its Kentucky Certificate and will continue to offer services to other customers. Comcast Phone is an indirect wholly owned subsidiary of Comcast Corporation.

## **B. First Communications, LLC**

Founded in 1998, First Communications is an Ohio limited liability company with its principal business at 3340 W Market St, Akron, OH 44333. First Communications is a wholly owned subsidiary of Summit Data Services, an Ohio corporation. First Communications' operations are overseen by a well-qualified management team with substantial experience and technical expertise. In Kentucky, First Communications is authorized to provide interexchange telecommunications services pursuant to registration under Utility ID 22251454 and 5145400. Further information regarding First Communications services and its legal, technical, managerial and financial qualifications to provide service was previously submitted to the Commission and is therefore a matter of public record. First Communications respectfully requests that the Commission take official notice of that information and incorporate it herein by reference.

## **II. DESIGNATED CONTACTS**

The designated contacts for correspondence, notices, inquiries, and orders in relation to this filing should be sent to:

### **For Comcast Phone:**

Michael Sloan  
DAVIS WRIGHT TREMAINE LLP  
1919 Pennsylvania Ave NW, Suite 800  
Washington, DC 20006  
Tel: (202) 973-4227  
Fax: (202) 973-4499  
michael.sloan@dwt.com

With copies to:  
Richard Chapkis  
Deputy General Counsel  
Comcast Corporation  
One Comcast Center, 50th Floor  
Philadelphia, PA 19103  
Tel: 215.286.5237  
Richard\_chapkis@comcast.com

### **For First Communications:**

Catherine Wang  
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With copies to:  
Sandi R. Murphy  
SVP and General Counsel  
FIRST COMMUNICATIONS, LLC  
3340 West Market Street  
Akron, OH 44333  
(330) 835-2664  
smurphy@firstcomm.com

## **III. DESCRIPTION OF TRANSACTION**

On November 17, 2015, Comcast Cable Communications, LLC, on behalf of itself and its affiliates, including Comcast Phone, and First Communications entered into an Asset Purchase

Agreement (“Agreement”). Pursuant to the Agreement, the Parties propose to assign certain customers in Kentucky, including telephone service customer accounts and related data, databases, and customer records needed to support the provision of telecommunications services to those customers (“Customers”), from Comcast Phone to First Communications. The specific assets that First Communications is acquiring are those that were formerly owned by CIMCO Communications, which Comcast has served since 2010 under the trade name, “CIMCO, a Division of Comcast Business Services.” As a result of the assignment, First Communications will replace Comcast Phone as the service provider to Comcast-CIMCO Customers. Except for the sale of these customer accounts, Comcast Phone’s remaining, non-CIMCO operations will be unaffected by the transaction.

Following the proposed transaction, the affected Customers will receive service from First Communications at the same rates, terms and conditions as currently provided by Comcast Phone. Future changes in the rates, terms and conditions of service for Customers will be undertaken pursuant to applicable federal and state notice and tariff requirements.

Pursuant to Section 64.1120(e) of the rules of the Federal Communications Commission, 47 C.F.R. § 64.1120(e), written notice was provided to the affected Customers via First Class mail on November 25, 2015, more than 30 days prior to the anticipated closing date. A copy of the notice customers received is attached as **Exhibit A**.

#### **IV. PUBLIC INTEREST CONSIDERATIONS**

The proposed transaction will serve the public interest. The proposed transaction will ensure that Customers continue to receive high-quality telecommunications service without interruption, and at the same rates, terms and conditions as they currently enjoy, from an experienced and qualified carrier eager to serve this segment of the market. The proposed transaction also will assure an orderly transition of Customers from Comcast Phone to First Communications.

\* \* \* \* \*

Jeff Derouen, Executive Director

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The Parties respectfully request that the Commission acknowledge receipt of this letter by date-stamping the extra copy and returning it in the self-addressed, stamped envelope. An original and four (4) copies of this letter are enclosed for filing. Should you have any questions concerning this filing, please do not hesitate to contact the undersigned.

Respectfully submitted,



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Counsel for First Communications, LLC

**EXHIBIT A**  
**Customer Notice**



November 23, 2015

Dear Valued CIMCO Customer:

We are excited to announce that First Communications, LLC soon will become your telecommunications services provider, pursuant to an agreement between First Communications and your current provider, CIMCO, A Division of Comcast Business Services ("CIMCO").<sup>1</sup> The transfer to First Communications will occur on or after January 1, 2016, subject to the satisfaction of certain regulatory requirements. First Communications is committed to earning and keeping your business and will assure that you continue to receive the same great service and dedication to your telecommunications needs as you currently receive.

**Your transition from CIMCO to First Communications requires no action on your part.**

This change will be completely seamless, and you do not need to do anything in order for it to occur. Following the transfer to First Communications, you will continue to receive telecommunications services with the same features and at the same rates, terms and conditions as you currently enjoy. Any changes to your service following the transaction will be made in compliance with your contract, service terms and applicable federal and state legal and regulatory requirements. We do not anticipate that this transition to First Communications will cause you to incur any carrier change charges, but if you do, First Communications will pay them.

It is important that you be aware of the following information. You are responsible for continued payment of your monthly recurring and usage charges. If, for any reason, you should choose another provider for your telecommunications services you will need to contact that provider directly to arrange for the change before First Communications becomes your provider.<sup>2</sup> Otherwise, your telecommunications service(s) will automatically be transferred without service interruption from CIMCO to First Communications. If you paid a deposit or prepayment, it will be transferred to your First Communications account. In addition, if you have a preferred carrier freeze on your account, it will be lifted to make the transfer and you will need to contact your local service provider to arrange a new freeze.

Headquartered in both Chicago, Illinois and Akron, Ohio, First Communications has been providing voice, data networking and managed services to the business community since 1998. At First Communications our commitment to customer service crosses all levels of our organization: from the associate who answers customer calls in our Akron-based Care and Repair Center; to the certified engineers in our Chicago-based Network Management Center who, around the clock, proactively monitor customer networks; to the Account Managers who

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<sup>1</sup> "CIMCO" is the trade name of the applicable Comcast Phone affiliate operating in your state, and an indirect, wholly-owned subsidiary of Comcast Corporation.

<sup>2</sup> Generally, you can find a list of alternative providers in the telephone book or from your state public utility regulatory agency. Please note that your right to switch providers is subject to the terms of your existing contract or service order. In addition, you may incur service initiation fees from a new provider such as service order, installation and other similar charges associated with establishing a new service account.

make it their business to know our customers. It is our dedication to customers that makes First Communications a trusted partner.

If you would like more information about the transaction or the transfer of your telecommunications services from CIMCO to First Communications, please call First Communications Vice President of Customer Engagement, Jamie Rowlands, at 1-800-344-3983. Prior to the transfer, you may also continue to contact CIMCO with any questions or concerns you may have about your current services.

We at First Communications look forward to serving you.

Sincerely,


Margi Shaw  
President  
First Communications

Jay Dirkmaat  
Vice President  
Comcast Business Services

## VERIFICATION

I, Sandi R. Murphy, state that I am Senior Vice President and General Counsel of First Communications, LLC; that I am authorized to make this Verification on behalf of First Communications, LLC; that the foregoing filing was prepared under my direction and supervision; and that the statements in the foregoing document regarding First Communications, LLC are true and correct to the best of my knowledge, information, and belief.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 3 day of December, 2015.

  
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Sandi R. Murphy  
Senior Vice President and General Counsel  
First Communications, LLC



VERIFICATION

STATE OF PENNSYLVANIA §  
COUNTY OF PHILADELPHIA §

I, Brian A. Rankin, state that I am Vice President, Senior Deputy General Counsel of Comcast Phone of Kentucky, LLC (“Comcast Phone”); that I am authorized to make this Verification on behalf of Comcast Phone; that the foregoing filing was prepared under my direction and supervision; and that the statements in the foregoing document are true and correct to the best of my knowledge, information, and belief.

Brian A Rankin  
Brian A. Rankin  
Vice President, Senior Deputy General Counsel

SWORN TO AND SUBSCRIBED before me on the 18<sup>th</sup> day of December 2015.

Christine Klumpp  
Notary Public

My commission expires: March 2, 2018

