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Case Management System - KY Public Service Commission

Regular Cases Before the Commission as of September 10, 2026

2018-00157 RECEIVED: 05/15/18 FILED: 05/15/18 FINAL: 01/18/23 REOPENED: SUSPENSION DATE:

CASE NATURE: CMN-RUS, Inc., Complainant; Windstream Kentucky East, LLC, Defendant

CASE CODE
Complaints - Service

UTILITIES:
CMN-RUS, LLC
Windstream Kentucky East, LLC

HEARINGS:

12/11/18	Formal Hearing
11/09/18	Informal Conference
07/18/18	Teleconference

INDEX OF EVENTS:

02/08/23	POST CASE: Tia J. Combs Windstream Kentucky East, LLC Notice of Filing Re-Redacted Documents Pursuant to 1-10-23 Order
02/07/23	POST CASE: Katherine K. Yunker CMN-RUS, Inc. and (with authorization) WKE Joint Notice of filing revised-redacted agreements between CMN-RUS and Windstream Ky. E.
01/18/23	Order Entered: this matter is closed and removed from the Commission's docket.
01/10/23	Order Entered: 1. Windstream East's motions for confidential treatment and Windstream East and CMN's joint motion for confidential treatment are granted in part and denied in part. 2. Windstream East's motions for confidential treatment are granted for the pricing terms for which confidential treatment was sought in the agreements for which confidential treatment was not sought for the full agreement, and Windstream East's motions for confidential treatment and Windstream East and CMN's joint motion for confidential treatment are granted with respect to similar pricing terms in the contracts for which confidential treatment was sought for the full agreement. 3. Windstream East's motions for confidential treatment and Windstream East and CMN's joint motion for confidential treatment are denied for any terms other than the pricing terms. 4. Windstream East's motion for confidential treatment is denied for the KU and GTE agreement. 5. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period or until further order of this Commission. 6. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001E, Section 13(9).
12/28/22	Robert C. Moore Windstream Kentucky East, LLC Petition for Confidential Treatment of Windstream Kentucky East, LLCs Answers to First Set of Requests for Information from CMN-RUS, Inc., Request No. 13
10/15/21	Katherine K. Yunker CMN-RUS, Inc. and (with authorization) WKE Joint Motion to close the case, with Read1st letter
09/07/21	Katherine K. Yunker CMN-RUS, Inc. and (with authorization) WKE 17th Joint Status Report, with Read1st letter
07/09/21	Katherine K. Yunker CMN-RUS, Inc. and (with authorization) WKE 16th Joint Status Report, with Read1st letter
05/11/21	Katherine K. Yunker CMN-RUS, Inc. and (with authorization) WKE 15th Joint Status Report, with cover letter
03/12/21	Katherine K. Yunker CMN-RUS, Inc. March 2021 Joint Status Report (14th) of parties, CMN and WKE
01/12/21	Katherine K. Yunker CMN-RUS, Inc. Joint Status Report with Windstream Ky. East (13th 60-day report), with cover letter
11/13/20	Katherine K. Yunker CMN-RUS, Inc. (with Windstream Ky. E.) Joint Status Report (mid-September to mid-November20)
09/15/20	Katherine K. Yunker CMN-RUS, Inc. (with Windstream Ky. E.) 60-day Joint Status Report with cover letter
07/17/20	Katherine K. Yunker CMN-RUS, Inc. Joint Status Report of CMN-RUS and Windstream re Simplified Attachment Request and License Process
05/21/20	Katherine K. Yunker CMN-RUS, Inc. (with Windstream Ky. E.) Joint Status Report required by 12/7/18 Order, and cover letter

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04/10/20	Order Entered: 1. CMN and Windstream East's joint motion for leave to use the electronic filing procedures set forth in 807 KAR 5:001, Section 8, for all of its future filings is hereby granted. 2. This matter is hereby converted to an electronic case. 3. Filings in this matter shall be made and processed pursuant to the electronic filing procedures set forth in 807 KAR 5:001, Section 8, from the date this Order is entered forward. 4. The Commission's previous Orders in this case are amended and vacated to the extent they conflict with paragraphs 1 through 3 herein. 5. All other provisions of the Commission's Orders in this case shall not be affected by this Order
03/23/20	CMN-RUS, Inc. and Windstream Kentucky East, LLC Joint Status Report
03/20/20	CMN-RUS, Inc. and Windstream Kentucky East, LLC Joint Petition to Covert Case to Electronic
01/23/20	CMN-RUS, Inc. and Windstream Kentucky East, LLC Joint Status Report
11/26/19	CMN-RUS, Inc. and Windstream Kentucky East, LLC Joint Status Report
09/27/19	CMN-RUS, Inc. and Windstream Kentucky East, LLC Joint Status Report
08/01/19	CMN-RUS, Inc. and Windstream Kentucky East, LLC Joint Status Report
06/03/19	CMN-Rus, Inc. and Windstream Kentucky East, LLC Joint Status Report
05/30/19	Windstream Kentucky East, LLC Counsel Notice of Change of Firm Affiliation
04/02/19	CMN-RUS, Inc. and Windstream Kentucky East, LLC Joint Status Report
03/22/19	Windstream Kentucky East, LLC Notice of Bankruptcy
02/01/19	CMN-RUS, Inc. and Windstream Kentucky East, LLC Joint Status Report
12/07/18	Order Entered: 1. CMN and Windstream East's Motion for Settlement Approval is hereby granted. 2. CMN and Windstream East's settlement is hereby approved as proposed. 3. The Commission shall retain jurisdiction, subject to limits on its statutory authority in KRS Chapter 278, over issues that may arise in the operation, application, and performance of the settlement agreement, Pole Attachment License Agreement, and the First Amendment, including disputes regarding the application of the Simplified Attachment Request and License Process as that term is used in the settlement agreement. 4. CMN or Windstream East shall raise any issues that may arise in the operation, application, and performance of the settlement agreement, Pole Attachment License Agreement, and the First Amendment by filing a formal motion with the Commission in this matter pursuant to 807 KAR 5:001. 5. CMN and Windstream East shall file a joint status report on February 1, 2019, and every 60 days thereafter briefly describing the status of the submission and processing of pole attachment requests. 6. CMN and Windstream East shall file a joint report when the Initial Period, as that term is used in the settlement agreement, has concluded. 7. The hearing scheduled for December 11, 2018, and December 12, 2018, is hereby canceled due to parties' settlement. 8. The parties' motion for confidential treatment for Pole Attachment License Agreement and First Amendment thereto shall be addressed in a separate order.
12/04/18	CMN-RUS, Inc. and Windstream Kentucky East, LLC Joint Motion for Settlement Approval
12/04/18	CMN-RUS, Inc. and Windstream Kentucky East, LLC Joint Motion for Confidential Treatment for Pole Attachment and Amendment
12/03/18	CMN-RUS, Inc. and Windstream Kentucky East, LLC Joint Notice of Settlement
11/30/18	Order Entered: 1. CMN's motion to submit the case on the written record is denied. 2. The hearing set for December 11, 2018, in this matter shall proceed as scheduled, and, if necessary, continue on December 12, 2018, unless the parties can reach a settlement approved by the Commission prior to December 11, 2018. 3. If the parties wish to submit a settlement to the Commission for approval prior to the hearing, they shall do so on or before December 4, 2018, to provide the Commission adequate time to review and, if appropriate, approve the settlement prior to the start of the December 11, 2018 hearing.
11/27/18	Memorandum dated 11/27/2018 for Informal Conference of 11/09/2018; Comments, if any, due within five days of receipt
11/02/18	Order Entered: IT IS HEREBY ORDERED that an in-person informal conference is scheduled for November 9, 2018, at 10:30 a.m. Eastern Standard Time at the offices of the Commission located at 211 Sower Boulevard, Frankfort, Kentucky to discuss a potential settlement.
11/01/18	Windstream Kentucky East, LLC Response to Motion for Submission on the Record
10/24/18	CMN-RUS, Inc. Motion for Submission on the Record
10/24/18	CMN-RUS, Inc. Notice of Corrected Exhibit 2
10/24/18	CMN-RUS, Inc. Prehearing Brief
10/24/18	Windstream Kentucky East, LLC Prehearing Brief
10/12/18	CMN-RUS, Inc. Rebuttal Testimony of Anita Larson
10/12/18	Rebuttal Testimony of Ashley Sanders
10/12/18	CMN-RUS, Inc. Rebuttal Testimony of John Greenbank

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10/12/18	Windstream Kentucky East, LLC Petition for Confidential Treatment of Additional Confidential Contracts
10/12/18	Rebuttal Testimony of James Lloyd
10/08/18	CMN-RUS, Inc. Response to Windstream Kentucky East, Inc. Petition for Confidential Treatment
10/05/18	Order Entered: 1. A hearing in this matter shall be held on December 11, 2018, at 9:00 a.m. Eastern Standard Time, at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. The hearing will continue through December 12, 2018 as necessary. 2. Neither opening statements nor summarization of direct testimonies shall be permitted at the hearing. Witnesses must be available for cross-examination at the hearing. 3. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing. 4. The Commission expects the parties to be prepared to proceed with the hearing on the date set unless the parties are able to reach a settlement, approved by the Commission, prior to that date.
10/01/18	Windstream Kentucky East, LLC Responses to Second Set of Requests for Information from Public Service Commission
10/01/18	Windstream Kentucky East, LLC Motion for Deviation from Filing Requirements Concerning Responses to CMN-RUS, Inc. Second Set of Requests for Information
10/01/18	Windstream Kentucky East, LLC Answer to Second Request for Information from CMN-RUS, Inc.
10/01/18	CMN-RUS, Inc. Response to Windstream Kentucky East, LLC Second Request for Information
10/01/18	Windstream Kentucky East, LLC Petition for Confidential Treatment of Additional Confidential Contracts
10/01/18	CMN-RUS, Inc. Response to Commission Staff Second Request for Information
10/01/18	Windstream Kentucky East, LLC Supplemental Responses to First Set of Requests for Information from Public Service Commission
09/19/18	Windstream Kentucky East, LLC Reply to CMN-RUS, Inc. Response to Supplemental Petition for Confidential Treatment
09/17/18	Commission Staff's Second Request for Information to Windstream Kentucky East, LLC
09/17/18	Commission Staff's Second Request for Information to CMN-RUS, Inc.
09/17/18	CMN-RUS, Inc. Response to Windstream Kentucky East, Inc. Request for Information
09/17/18	Windstream Kentucky East, Inc. Second Request for Information to CMN-RUS, Inc.
09/14/18	CMN-RUS, Inc. Response to Windstream Kentucky East, Inc. Supplemental Petition for Confidential Treatment of Rates and Contracts
09/07/18	Windstream Kentucky East, Inc. Supplemental Petition for Confidential Treatment of Rates and Contracts
09/07/18	Windstream Kentucky East, Inc. Reply to CMN-RUS, Inc. Response to Motion for Confidential Treatment of Rates and Confidential Contract
09/05/18	James Lloyd Testimony
09/05/18	John Greenbank Testimony
09/05/18	Ashley Sanders Testimony
09/05/18	Daniel J. King Testimony
09/05/18	Joyce Latham Testimony
09/04/18	CMN-RUS, Inc. Response to Windstream Kentucky East, Inc. Motion for Confidential Treatment
08/27/18	Windstream Kentucky East, LLC Motion for Confidential Treatment of Rates and Confidential Contracts
08/27/18	CMN-RUS, Inc. Response to Windstream Kentucky East, LLC First Request for Information
08/27/18	Windstream Kentucky East, LLC Motion For Deviation From Filing Copy Requirements
08/27/18	Windstream Kentucky East, LLC Answers and Responses to First Set of Requests for Information From CMN-RUS, Inc.
08/27/18	CMN-RUS, Inc. Response to Commission Staffs First Request for Information
08/27/18	Windstream Kentucky East, LLC Response to First Set of Request for Information from Public Service Commission
08/13/18	Commission Staff's First Request for Information to Windstream Kentucky East, LLC
08/13/18	Commission Staff's First Request for Information to CMN-RUS, Inc.
08/13/18	Windstream Kentucky East, Inc. First Request for Information to CMN-RUS, Inc.
08/13/18	CMN-RUS, Inc. First Set of Discovery Requests to Windstream Kentucky East, LLC
08/10/18	Windstream Kentucky East, Inc. Notice of Appearance
08/07/18	Order Entered: 1. The procedural schedule set forth in the Appendix to this Order shall be followed. 2. Service upon an attorney or upon a party by the parties in the case shall be made via hand delivery, pursuant to 807 KAR 5:001, Section 4(8)(d)1 , or electronic mail, pursuant to 807 KAR 5:001 , Section 4(8)(d)3, to accommodate the expedited procedural schedule. 3. Commission Staff shall contact counsel for CMN and Windstream upon entry of this Order to obtain dates for a hearing to be

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	scheduled in or about the first two weeks of November 2018, subject to the availability of the Commission. The Commission will enter a separate order establishing a hearing date at which witnesses will be subject to cross-examination. The Commission expects the parties to be prepared to proceed with the hearing on the date set unless the parties are able to reach a settlement prior to that date. 4. No later than October 24, 2018, counsel for CMN and Windstream shall each file and serve a concise prehearing brief to assist the Commission as to the factual issues and any unresolved legal issues which may reasonably be anticipated to arise at the hearing, including a statement of the case, a list of witnesses presented with a brief description of their relevant testimony, a list of exhibits that will be presented at the hearing, questions of fact presented, questions of law presented with supporting authority, and a conclusion.
07/20/18	Memorandum dated 7/20/2018 for Informal Conference of 7/18/2018; Comments, if any, due within five days of receipt
07/17/18	Order Entered: CMN's Motion for Informal Conference is hereby granted.
06/26/18	CMN-RUS, Inc. Motion for Informal Conference
06/25/18	CMN-RUS, Inc. First Set of Discovery Requests to Windstream Kentucky East, LLC
06/01/18	Windstream Kentucky East, Inc. Answer to CMN-RUS, Inc. Complaint
05/22/18	Order Entered: Windstream East is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within ten days from the date of service of this Order.
05/17/18	Acknowledge Receipt of Filing
05/15/18	CMN-RUS, Inc. vs. Windstream Kentucky East, LLC

Total Number of Cases: 1