

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)
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)

ORDER

On August 7, 2014, Windstream Kentucky East, LLC and Windstream Kentucky West, LLC (collectively "Applicants"), filed an application with the Commission seeking, *inter alia*, a declaratory judgment that approval of the transfer of assets from Applicants to Communications Sales and Leasing, Inc. ("CSL") does not need Commission approval under Kentucky law. In the alternative, Applicants seek approval of the transfer pursuant to KRS 278.020(5) and (6), as well as request a declaratory order stating that that CSL is not required to obtain a certificate of public convenience and necessity in connection with its acquisition of certain assets from the Applicants.

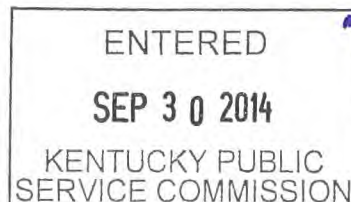
Based on a review of the application, the Commission finds that an investigation will be necessary to determine whether or not the proposed transfer of assets needs our approval under KRS 278.020(5) and (6) and, if approval is needed,

whether or not the approval should be granted. If this transfer is within our jurisdiction under KRS 278.020(6), the Commission must render its final decision within 60 days of the filing of the application unless it is necessary, for good cause, to continue the application. If good cause for an extension exists, the Commission may extend the review period for up to 60 additional days.

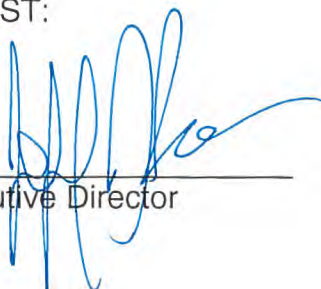
The proposed transaction includes the transfer of telephone poles and lines to a real estate investment trust ("REIT"), which would claim not to be a utility subject to Commission jurisdiction, and is an issue of first impression for the Commission with possible significant implications for Kentucky consumers and other incumbent local exchange carriers. The Commission issued a request for information to the Applicants on September 23, 2014, and our investigation cannot be completed by October 6, 2014. Therefore, pursuant to KRS 278.020(6), the Commission will continue the application for up to 60 additional days.

IT IS THEREFORE ORDERED that this case shall be continued for 60 additional days, up to and including December 5, 2014.

By the Commission



ATTEST:



Executive Director

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