

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SOUTH CENTRAL RURAL)	
TELECOMMUNICATIONS COOPERATIVE, INC.)	
AND SOUTH CENTRAL TELCOM, LLC)	
)	
COMPLAINANTS)	CASE NO.
)	2020-00106
V.)	
)	
WINDSTREAM KENTUCKY EAST, LLC)	
)	
DEFENDANT)	

ORDER

This matter arises from a complaint (Complaint) filed by Complainants, South Central Rural Telecommunications Cooperative, Inc. and South Central Telcom, LLC, against Defendant, Windstream Kentucky East, LLC (Windstream East), regarding its alleged actions with respect to utility pole attachments . The Commission issued an Order on April 15, 2020, requiring Windstream East to satisfy or answer the Complaint within 15 days.

On April 27, 2020, Windstream East filed a motion requesting an extension allowing it until May 8, 2020, to satisfy or answer the Complaint. Windstream East represented that its contractor is in the process of completing the work necessary to satisfy the Complaint. Windstream East further indicated that Complainants' did not object to a one-time extension to May 8, 2020, under the circumstances and gave Windstream East's counsel permission to make that representation in the motion.

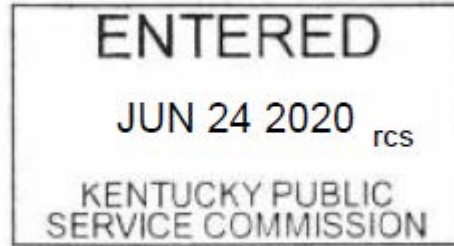
On May 8, 2020, Windstream filed its offer of full satisfaction of the complaint. Windstream represented that all work to the facilities identified by the Complainants would be completed by close of work on May 11, 2020, Windstream East would monitor and facilitate the completion of the work and forgo its right to seek payment of the final costs due for the work.¹ On May 19, 2020, the Complainants filed its acceptance of the May 8, 2020 offer by Windstream East. Further, the Complainants requested that the matter be dismissed as satisfied.

Pursuant to 807 KAR 5:001, Section 20(5), a complaint “shall be dismissed” upon acceptance of an offer to satisfy the complaint by the defendant with the approval of the Commission. Having reviewed the Complainants’ motion and being otherwise sufficiently advised, the Commission finds Windstream East’s offer of satisfaction is reasonable and notes that Complainants have accepted the offer of satisfaction.

IT IS THEREFORE ORDERED THAT this matter shall be dismissed, pursuant to 807 KAR 5:001, Section 20(5), as satisfied.

¹ Windstream Kentucky East, LLC’s Offer of Full Satisfaction of Complaint, May 8, 2020, paragraph 12.

By the Commission



ATTEST:



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