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OCT 03 2014

PUBLIC SERVICE
COMMISSION

DOUGLAS F. BRENT
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October 3, 2014

Jeff DeRouen
Executive Director
Kentucky Public Service Commission
P.O. Box 615
211 Sower Boulevard
Frankfort, KY 40601

RE: 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 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 Case No. 2014-00283

Dear Mr. DeRouen:

Enclosed please find an original and ten copies of Sprint Communication Company's Motion for Full Intervention.

Please indicate receipt of this filing by placing your file stamp on the extra copy and returning to me via our runner.

Very truly yours,

STOLL KEENON OGDEN PLLC

Douglas F. Brent

DFB:jmp

Enclosures

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OCT 03 2014

PUBLIC SERVICE COMMISSION

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 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

CASE NO. 2014-00283

SPRINT'S MOTION FOR FULL INTERVENTION

Pursuant to 807 KAR 5:001, Section 4(11), Sprint Communications Company L.P., SprintCom, Inc. and Sprint Spectrum, L.P. (collectively, "Sprint"), submit this motion for intervention in the above-captioned proceeding.

On September 30, 2014, the Commission initiated an investigation to determine whether to approve Windstream's proposal to transfer regulated assets used to provide telecommunications services into an entity, Communications Sales and Leasing, Inc., it claims is beyond the Commission's regulatory authority. The Commission's Order describes the proposed transfer as "an issue of first impression for the Commission with possible significant implications for consumers and other incumbent local exchange carriers."

Sprint provides local, interexchange, and wireless services in Kentucky. As a provider of local service and wireless service, Sprint interconnects with various incumbent local exchange carriers, including Windstream Kentucky East and Windstream Kentucky West. In addition, Sprint purchases network elements and tariffed intrastate switched access services from various

incumbent providers. The Commission has regulatory jurisdiction over these interconnection arrangements and tariffed access services.

As both an interconnecting carrier and ratepayer, Sprint has a direct interest in any examination of Windstream's proposal to move assets like common lines and trunking facilities into an entity it contends cannot be regulated.¹ Moreover, Windstream's fifty-nine page filing mentions interconnection only in passing, and does not explain how or if Windstream will offer future interconnection and access services after the proposed transfers occur. But the application is explicit on one point: Windstream's new "landlord" does not intend to provide wholesale services at all. *See* Windstream Application at paras. 16 and 39.

Sprint's Motion, filed promptly after the Commission's notice of investigation, is timely. Sprint is likely to present issues and develop facts that will assist the Commission in fully considering this matter without unduly complicating the proceedings. No other entity adequately can represent Sprint's direct interest in this case. Thus, Sprint's interests in this proceeding satisfy the requirements of the Commission's regulation for intervention. *See* 807 KAR 5:001, Section 4(11).

For the reasons stated above, Sprint asks that this timely Motion for Intervention be granted. Filings, notices and other papers may be served on undersigned counsel for Sprint.

¹ Exhibit 4 to the Windstream application describes property it would transfer to its new "landlord" to include central office land and buildings, all fiber optic cable lines, copper cable lines, conduits, telephone poles, attachment hardware, guy wires, anchors, amplifiers, cross connect cabinets, mini-cabinet mounting posts, fiber distribution hubs, fiber access terminals and first entry fiber splice cases, among other assets.

Respectfully submitted,



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Counsel for Sprint

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing motion has been served by first class mail on those persons whose names appears below this 3rd day of October, 2014.

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Hon. Mark R. Overstreet
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