

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 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), and request a declaratory order stating 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. By Order entered on September 30, 2014, the Commission determined that an investigation could not be completed by October 6, 2014, and, pursuant to KRS 278.020(6), ordered that the application be continued an additional 60 days up to and including December 5, 2014.

The Commission is in receipt of the Applicants' response to Commission Staff's First Request for Information, issued on September 23, 2014. Based upon the information contained in the application, the response to the request for information, and the intervention of Kentucky Cable Telecommunications Association ("KCTA"), the Commission finds that further proceedings are necessary and that a procedural schedule should be established to review the reasonableness of the proposed transaction. The procedural schedule is attached as an Appendix to this Order and is incorporated herein.

IT IS THEREFORE ORDERED that:

1. The procedural schedule for processing the review of the proposed transaction is attached hereto as an Appendix and shall be followed in this case.

2. a. Responses to requests for information shall be appropriately bound, tabbed and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided, with copies to all parties of record and ten copies to the Commission. Any request for information by letter from the Commission Staff shall be responded to as if set forth in a Commission Order.

b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or an association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

4. Any party filing testimony shall file an original and ten copies with the Commission, with copies to all parties of record.

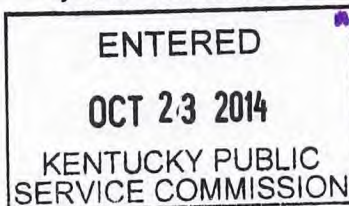
5. At any public hearing in this matter, neither opening statements nor summarization of direct testimony shall be permitted.

6. Any objections or motions relating to discovery or procedural dates shall be filed within four business days' notice or the filing party shall explain, in writing, why such notice was not possible.

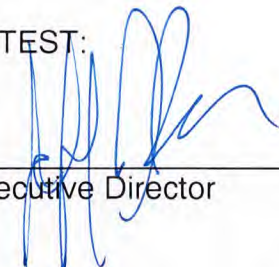
7. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

8. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission



ATTEST:



Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2014-00283 DATED **OCT 23 2014**

Requests for information to all parties shall
be filed no later than 10/29/2014

Reponses to requests for information shall
be filed no later than 11/03/2014

Simultaneous Direct Testimony shall be filed no later than 11/06/2014

Simultaneous Rebuttal Testimony shall be filed no later than 11/10/2014

Public Hearing to be held in Hearing Room 1
of the Commission offices at 211 Sower Boulevard,
Frankfort, Kentucky, at 10:00 a.m Eastern Standard Time,
for the purpose of cross-examination of witnesses of
the Applicants and Intervenors 11/13/2014

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