

Writer's Direct: Phone: (859) 426-2149 Fax: (859) 341-1469 Email: mguifoyle@dbllaw.com

December 31, 2015

RECEIVED

JAN 7 2016

Public Service Commission

## VIA REGULAR UNITED STATES MAIL

Mr. Jeff Derouen Executive Director Kentucky Public Service Commission 211 Sower Boulevard P.O. Box 615 Frankfort, KY 40602

Case No. 2016-00034

Re:

Application for Certificate of Convenience and Necessity

Cincinnati Bell Telephone Company, LLC

Dear Jeff:

Enclosed is an original and six (6) copies of Cincinnati Bell Telephone Company, LLC's Application for Certificate of Convenience and Necessity with regard to providing telephone services in Dry Ridge, Kentucky.

If you have any questions concerning the Application, please do not hesitate to give me a call. We appreciate your prompt attention to this matter.

Very truly yours,

Mark D. Guilfoyle

**Enclosures** 

Dressman Benzinger LaVelle psc Attorneys at Law

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## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

JAN 7 2016

IN THE MATTER OF

Public Service Commission

THE APPLICATION OF CINCINNATI BELL TELEPHONE COMPANY, LLC, FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY AUTHORIZING IT TO BID ON A TELEPHONE FRANCHISE IN THE CITY OF DRY RIDGE, A CITY OF THE FIFTH CLASS IN GRANT COUNTY, KENTUCKY

CASE NO. 2016-00034

## APPLICATION

The applicant, Cincinnati Bell Telephone Company, LLC ("CBT"), respectfully represents that:

- 1. CBT is or was engaged in the business of furnishing telephone services in the City of Dry Ridge, a city of the Fifth Class, and in Grant County, as well as in the counties of Boone, Kenton, Gallatin, Grant and Pendleton, and cities contained therein.
- CBT maintains an office and postal address at 7688 Mall Road, Florence,
   KY 41042.
- 3. CBT is a duly authorized corporation under the laws of Kentucky, with evidence of such attached hereto as **EXHIBIT A**.
- 4. The City of Dry Ridge, Kentucky, has created non-exclusive franchises for telephone service and is planning to solicit sealed bids for such franchises. CBT has been in negotiations with the City about securing a renewal of its telephone service franchise.
- 5. CBT wishes to submit its bid for a telephone franchise and is making this application for a Certificate of Convenience and Necessity pursuant to the provisions of KRS 278.010 and 278.020.

6. As evidenced by the prior telephone franchise with CBT, as well as the current negotiations regarding a new franchise with CBT, the City has recognized a need and demand for telephone service in Dry Ridge.

WHEREFORE, the applicant, Cincinnati Bell Telephone Company, LLC, respectfully requests that the Public Service Commission issue an Order granting CBT a Certificate of Convenience and Necessity which recognizes the need and demand for the services sought to be rendered so that CBT may submit its bid for the franchise(s) being offered by the City of Dry Ridge, Kentucky.

CINCINNATI BELL TELEPHONE COMPANY

Rv.

Mark D. Guilfoyle, Esq. (KBA # 27625) DRESSMAN BENZINGER LAVELLE, psc

207 Thomas More Parkway Crestview Hills, KY 41017

Phone: (859) 341-1881

Email: mguilfoyle@dbllaw.com

Counsel for Cincinnati Bell Telephone Company, LLC STATE OF KENTUCKY

SS:

MARK R. HERVEY
NOTARY EXPIRATION DATE: 5-20-2017
KENTUCKY STATE AT LARGE
ID # 489813

COUNTY OF KENTON

Mark D. Guilfoyle, Esq., after being first duly sworn and cautioned, states that he represents Cincinnati Bell Telephone Company, LLC as its legal counsel and that he has read the foregoing application and knows the contents thereof to be true of his own knowledge.

Mark D. Guilfoyle, Esq.

(KBA # 27625)

DRESSMAN BENZINGER LAVELLE, psc

207 Thomas More Parkway Crestview Hills, KY 41017

Subscribed and sworn to before me by Mark D. Guilfoyle, Esq. this 31st day of December, 2015.

Notary Public

## Copies provided to:

Linda K. Ain, Esq. The Law Firm of Linda K. Ain 4725 Inman Drive Lexington, KY 40513 Counsel for the City of Dry Ridge Mark D. Guilfoyle, Esq. Dressman Benzinger LaVelle, psc 207 Thomas More Parkway Crestview Hills, KY 41017 Counsel for Cincinnati Bell Telephone Company, LLC

LARP

# Commonwealth of Kentucky Alison Lundergan Grimes, Secretary of

0605712 Alison Lundergan Grimes KY Secretary of State Received and Filed 4/23/2015 3:29:09 PM

Fee receipt: \$15.00

Alison Lundergan Grimes Secretary of State P. O. Box 1150 Frankfort, KY 40602-1150 (502) 564-3490 http://www.sos.ky.gov

## Annual Report Online Filing

ARP

Company:

CINCINNATI BELL TELEPHONE COMPANY LLC

Company ID:

0605712

State of origin:

Ohio

Formation date:

2/9/2005 12:00:00 AM

Date filed:

4/23/2015 3:29:09 PM

Fee:

\$15.00

### Principal Office

221 EAST FOURTH STREET CINCINNATI, OH 45202

#### Registered Agent Name/Address

CSC-LAWYERS INCORPORATING SERVICE COMPANY 421 WEST MAIN STREET FRANKFORT, KY 40601

## Members/Managers

Manager

Theodore Torbeck

221 East Fourth Street, Cincinnati OH 45202

Manager

Christopher J. Wilson

221 East Fourth Street, Cincinnati, OH 45202

Manager

Leigh Fox

221 East Fourth Street, Cincinnati OH 45202 221 East Fourth Street, Cincinnati OH 45202

Manager

Christopher C. Elma

#### **Signatures**

Signature Title

Christopher Wilson Secretary

