

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

In the Matter of

OCT 24 2018

CMN-RUS, Inc.

Complainant

v.

Windstream Kentucky East, LLC

Respondent

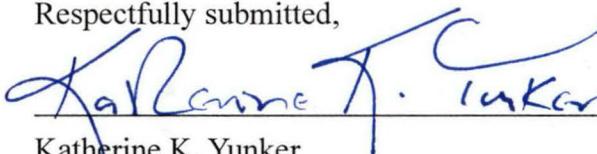
PUBLIC SERVICE
COMMISSION

No. 2018-00157

CMN Motion for Submission on the Record

Complainant CMN-RUS, Inc. ("CMN") hereby moves for submission of this case on the record, and requests that a schedule be set for the parties to brief the application of the law to the basic evidentiary facts. As when summary judgment is appropriate in a civil proceeding (*see* CR 56.03), the pleadings, prefiled testimony, and verified responses to information requests "show that there is no genuine issue as to any material fact," permitting determination of the material issues in this proceeding as a matter of law. No evidentiary hearing is needed.

Respectfully submitted,



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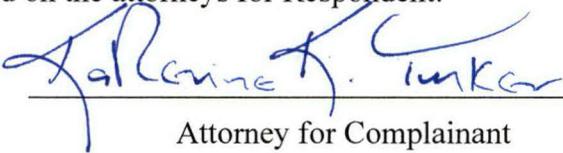
Lexington, KY 40507-1310

859-231-8780, ext. 1137

Attorneys for CMN-RUS, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on October 24, 2018, pursuant to the Commission's 8/7/18 Order ¶2, a conformed copy of the foregoing has been served on the attorneys for Respondent by electronic mail or by hand-delivery to: Casey C. Stansbury <cstansbury@mrrlaw.com>, Tia J. Combs <tcombs@mrrlaw.com>; MAZANEC, RASKIN & RYDER CO.; 230 Lexington Green Circle, Suite 605; Lexington, KY 40503. I will also provide PSC Staff Counsel Benjamin Bellamy with a courtesy copy of this Motion in the form served on the attorneys for Respondent.



Attorney for Complainant