

DOC11R

**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of May 02, 2024***2014-00283**

RECEIVED: 08/07/14

FILED: 08/07/14

FINAL: 12/04/14

REOPENED:

SUSPENSION DATE:

**CASE CODE**

Transfer / Sale / Purchase / Merger

**UTILITIES:**

Windstream Kentucky East, LLC

Windstream Kentucky West, LLC

INTERVENORS: Brent-KCTA/Gillespie-

**HEARINGS:**

11/13/14 Formal Hearing

11/06/14 Formal Hearing

**INDEX OF EVENTS:**

12/05/19 Final Order Entered: 1. This case is opened to address certain outstanding petitions for confidential treatment. 2. The petitions for confidential treatment listed in Appendix B to this Order are granted. 3. The granting of these petitions shall not be cited as precedent in other proceedings before the Commission. 4. All movants shall review the petitions to determine if the material for which confidential treatment was requested still warrants confidential treatment. 5. A movant shall inform the Commission in writing, and filed in the original case file, if it determines that the information contained in a petition that is granted by this Order no longer warrants confidential treatment. 6. The Commission shall make available for inspection, upon request, any materials that a movant determines no longer warrants confidential treatment. 7. This case is closed and removed from the Commission's docket.

04/28/15 POST CASE: Windstream Kentucky Master Lease and Separation and Distribution Agreements

12/29/14 Order Entered: (1) The Applicant's Petition for Rehearing is granted. (2) The Commission's December 4, 2014 Order is amended to provide that CSL Kentucky, not CSL, is granted a CPCN pursuant to KRS 278.020. (3) The Commission's December 4, 2014 Order is amended to provide that CSL Kentucky is a utility under KRS Chapter 278 and shall register as a utility with the Commission. (4) The Commission's December 4, 2014 Order is amended to provide that CSL is not a utility under KRS Chapter 278 and will not be providing telecommunications services to or for the public in Kentucky.

12/22/14 POST CASE: KCTA response to Windstream's motion for rehearing

12/19/14 POST CASE: KCTA response to Windstream's motion for rehearing

12/12/14 POST CASE: Petition for rehearing of Windstream KY East and West

12/12/14 POST CASE: Windstream Kentucky East and West Response to PSC Order of Dec 4, 2014

12/12/14 POST CASE: Letter from Windstream Kentucky East And West concerning Managerial Changes

12/04/14 Final Order Entered: (1) The Applicants' proposed transfer of certain assets to CSL, as described in the application, is approved, subject to the written acceptance of the Applicants, filed within 10 days of the date of this Order, of the following conditions: a. The Commission retains jurisdiction over pole attachments, the Applicants, and, upon execution of the master lease, over CSL; b. The Applicants shall fully comply with the Commission's pole attachment rate methodology; c. None of the elements of the Applicants' calculations of maximum and just pole- attachment rates under the methodology set forth in the Rate Methodology Order should be altered as a result of the transaction, including embedded costs of poles, accumulated depreciation or cost of money; d. The Applicants will file a copy of the master lease with the Commission once the master lease is executed; e. The Applicants shall file a copy of the separation and distribution agreement with the Commission when that agreement is finalized; f. The Applicants shall notify the Commission when the proposed transaction is finalized; and, g. The Applicants shall continue to comply with KRS 278.140 to 150. (2) The Commission's approval of this transaction is based upon the transaction as it has been represented in the record of this case. If final executed version of master lease contains material differences from representations made to the Commission, the Commission may revoke its approval of the transaction.

**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of May 02, 2024*

12/04/14 POST CASE: William J. Londrigan Public Comments

11/26/14 Post Hearing Briefs of Windstream Kentucky East LLC and Windstream Kentucky West, LLC

11/26/14 Windstream Kentucky Transcript of November 13, 2014 Hearing

11/26/14 CAW notification that brief will not be filed and withdrawal of any opposition to the applicant

11/26/14 KCTA's Post-Hearing Brief

11/21/14 Windstream Kentucky East and Windstream Kentucky West responses to the PSC staff Post Hearing data Request

11/19/14 Notice of Filing Hearing Documents

11/14/14 Order Entered: Scott Rubin is admitted pro hac vice for the purpose of representing the CWA in the above-styled proceeding, provided that Don Meade or another member of the Kentucky Bar Association acts as co-counsel and is present at any and all proceedings before this Commission.

11/12/14 Windstream's Motion for the Preparation of a Stenographic Transcription

11/12/14 Communications Workers of America Motion to Admit Scott Rubin Pro Hac Vice

11/10/14 Order Entered: (1) The petition of CWA to intervene is granted. (2) CWA shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order. (3) CWA shall abide by the existing procedural schedule entered by the Commission on October 23, 2014. (4) Should CWA file documents of any kind with the Commission in the course of these proceedings, CWA shall also serve a copy of said documents on all other parties of record.

11/10/14 Windstream Kentucky East, LLC and Windstream Kentucky West, LLC Rebuttal Testimony of Robert E. Gunderman

11/10/14 Notice of Kentucky Bar Association out of state certification form

11/06/14 Direct Testimony of Randy Barber for CWA

11/06/14 Windstream Kentucky East, LLC and Windstream Kentucky West, LLC Direct Testimony of John P. Fletcher and Robert E. Gunderman

11/03/14 Windstream Kentucky East and Windstream Kentucky West responses to PSC staff second request for info

11/03/14 Windstream Kentucky East, LLC and Windstream Kentucky West, LLC responses to the KCTA requests for info

10/31/14 CWA response to Windstream's response in opposition to motion to intervene

10/29/14 KENTUCKY CABLE TELECOMMUNICATIONS ASSOCIATION'S FIRST SET OF DATA REQUESTS TO WINDSTREAM

10/27/14 Windstream response in opposition to communications workers of Americas motion to intervene

10/24/14 Commission Staff's Second Request for Information to Windstream Kentucky East, LLC and Windstream Kentucky West, LLC

10/24/14 Motion of communication workers of America for full intervention and memo in support of CWA motion

10/24/14 KCTA notice of Kentucky Bar Assoc. out of state certification form for Gardner Gillespie

10/23/14 Order Entered: (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.

10/22/14 Order Entered; (1) The petition of KCTA to intervene is granted. (2) KCTA shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order. (3) Should KCTA file documents of any kind with the Commission in the course of these proceedings, KCTA shall also serve a copy of said

DOC11R

**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of May 02, 2024*

documents on all other parties of record.

10/17/14 Kentucky Cable Telecommunications Association Reply in Support of Motion to Intervene

10/15/14 Windstream's Response in Opposition to Kentucky Cable Telecommunication's Motion for Full Intervention

10/10/14 Sprint Communication Company Withdrawal of Motion for Full Intervention

10/09/14 KCTA motion for full intervention

10/08/14 Windstream's Response in Opposition to Sprint's Motion for Full Intervention

10/03/14 Sprints motion for full intervention

10/02/14 Windstream Kentucky East, LLC and Windstream Kentucky West, LLC Responses to Staff's First Request for Information and Motion for Confidential Treatment

09/30/14 Order Entered: This case shall be continued for 60 additional days, up to and including December 5, 2014.

09/23/14 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO WINDSTREAM KENTUCKY EAST, LLC AND WINDSTREAM KENTUCKY WEST, LLC

09/04/14 Notice of change of state of incorporation of communications sales and leasing, Inc.

08/12/14 No Deficiency Letter

08/08/14 Acknowledge Receipt of Filing

08/07/14 Windstream Kentucky East, LLC and Windstream Kentucky West, LLC Application 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 Communication Sales and Leasing, Inc. is not Subject to KRS 278.020(1); and (4) For All Other Required Approvals and Relief

---

Total Number of Cases: 1