

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

<b>JOINT ELECTRONIC APPLICATION OF RED FIBER PARENT</b>	)	
<b>LLC, RF MERGER SUB, INC., CINCINNATI BELL INC., AND</b>	)	
<b>CINCINNATI BELL TELEPHONE COMPANY LLC FOR (1) AN</b>	)	
<b>APPROVAL OF THE PROPOSED INDIRECT TRANSFER OF</b>	)	
<b>CONTROL OF CINCINNATI BELL TELEPHONE COMPANY</b>	)	
<b>LLC TO RED FIBER PARENT LLC PURSUANT TO</b>	)	<b>CASE NO.</b>
<b>KRS 278.020(6) AND KRS 278.020(7), OR ALTERNATIVELY,</b>	)	<b>2020-00259</b>
<b>PURSUANT TO KRS 278.020(6) AND A DECLARATION THAT</b>	)	
<b>APPROVAL UNDER KRS 278.020(7) IS NOT REQUIRED;</b>	)	
<b>(2) NOTICE OF THE PROPOSED INDIRECT TRANSFER OF</b>	)	
<b>CONTROL OF CINCINNATI BELL EXTENDED TERRITORIES</b>	)	
<b>LLC AND CBTS TECHNOLOGY SERVICES LLC TO RED</b>	)	
<b>FIBER PARENT LLC; AND, (3) ALL OTHER REQUIRED</b>	)	
<b>APPROVALS AND RELIEF</b>	)	

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**MOTION TO SUBMIT CASE FOR ADJUDICATION  
ON THE ADMINISTRATIVE RECORD**

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Come Red Fiber Parent, LLC., RF Merger Sub, Inc., Cincinnati Bell Inc. and Cincinnati Bell Telephone Company LLC (“Joint Applicants”), by counsel, and hereby move the Kentucky Public Service Commission (“Commission”) to submit the above-styled case for a decision based upon the existing record and without the need for a hearing, respectfully stating as follows:

On August 10, 2020, the Joint Applicants filed the Application in this matter. The Commission issued an Order establishing a procedural schedule on August 20, 2020 that allowed for, *inter alia*, the filing of two sets of information requests, motions to intervene and the filing of intervenors’ testimony and Joint Applicants’ rebuttal testimony. Commission Staff filed its initial request for information on September 4, 2020. Joint Applicants filed responses to these requests for information on September 14, 2020. There were no supplemental requests for information

issued by the Commission. On October 26, 2020, the Commission entered an order denying the intervention request of Time Warner Cable Information Services (Kentucky), LLC (Charter)<sup>1</sup>. Under the procedural schedule Joint Applicants have until November 2, 2020, to request a hearing or submit the case for a decision on the existing record.

Since all essential procedural deadlines have now passed, the Joint Applicants believe the administrative record is complete and it is appropriate for the Commission to finally consider and adjudicate the case. Since the issues in this holding company level indirect transfer of control case are straightforward, Joint Applicants respectfully request a decision from the Commission based upon the existing administrative record.

WHEREFORE, Joint Applicants respectfully move the Commission for submission of the case on the existing administrative record.

This 29th day of October, 2020

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<sup>1</sup> It is notable that the Kentucky Attorney General did not request intervention in the case.

Respectfully submitted,

*Mark David Goss*

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#### **CERTIFICATE OF SERVICE**

This is to certify that foregoing electronic filing is a true and accurate copy of the document being filed in paper medium; that the electronic filing was transmitted to the Commission on October 29, 2020; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that a copy of the filing in paper medium will be delivered to the Commission within thirty days of the current state of emergency being lifted.

*Mark David Goss*

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*Counsel for Red Fiber Parent LLC and RF Merger Sub, Inc.*