

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JOINT APPLICATION OF WINDSTREAM	)	
PARENT, INC.; WINDSTREAM HOLDINGS II,	)	CASE NO.
LLC; WINDSTREAM KENTUCKY EAST, LLC;	)	2024-00183
AND WINDSTREAM KENTUCKY WEST, LLC;	)	
AND UNITI GROUP INC. FOR APPROVAL OF A	)	
TRANSFER OF CONTROL	)	

ORDER

On June 14, 2024, Windstream Parent Inc. (Windstream Parent), Windstream Holdings II, LLC (Windstream Holdings), Windstream Kentucky East, LLC (Windstream East), Windstream Kentucky West, LLC (Windstream West), New Windstream, LLC (New Windstream), and Uniti Group Inc. (Uniti) (collectively, Applicants) filed an application, pursuant to KRS 278.020(6) and KRS 278.020(7), requesting approval for Applicants to consummate a multi-step transaction that will result in the transfer of control from Windstream Holdings and Uniti to Windstream Parent.

KRS 278.020(7) states that the Commission shall render a decision on an application for the acquisition of control of a jurisdictional utility within 60 days after the application was filed, unless it is necessary to continue the application for up to 60 additional days, for good cause. Based upon a review of the application, the Commission finds that an investigation is necessary, and that the investigation cannot be completed by August 13, 2024. Therefore, the Commission will continue the application for up to 60 additional days, up to and including October 12, 2024.

The Commission further finds that a procedural schedule should be established for the orderly processing of this case. The procedural schedule is attached hereto as an Appendix to this Order and is incorporated herein.

IT IS THEREFORE ORDERED that:

1. This case is continued for 60 additional days, up to and including October 12, 2024.

2. The procedural schedule set forth in the Appendix to this Order shall be followed.

3. Applicants shall respond to all requests for information propounded by Commission Staff, whether identified on the procedural schedule or otherwise, as provided in those requests.

4. Any party filing a paper with the Commission shall file an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. The Commission directs the parties to the Commission's July 22, 2021 Order in Case No. 2020-00085<sup>1</sup> regarding filings with the Commission.

5. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceeding that is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop

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<sup>1</sup> Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Therefore, any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not otherwise adequately represented, or the issues and facts that the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of utility service consumed by the movant or a general statement regarding a potential impact of possible modification of rates will not be deemed sufficient to establish a special interest.

6. Any motion to intervene filed after the date established in the procedural schedule shall also show good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

7. Applicants shall give notice of any scheduled hearing in accordance with the provisions set forth in 807 KAR 5:001, Section 9(2). In addition, the notice of hearing shall include the following statements: "This hearing will be streamed live and may be viewed on the PSC website, [psc.ky.gov](http://psc.ky.gov)" and "Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listing on the PSC website, [psc.ky.gov](http://psc.ky.gov)." At the time publication is requested, Applicants shall forward a duplicate of the notice and request to the Commission.

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

9. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of any hearing.

10. The Commission does not look favorably upon motions for continuance. Accordingly, 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.

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

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PUBLIC SERVICE COMMISSION

\_\_\_\_\_  
Chairman



\_\_\_\_\_  
Vice Chairman



\_\_\_\_\_  
Commissioner



ATTEST:



\_\_\_\_\_  
Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2024-00183 DATED JUL 01 2024

Last day for intervention requests to be accepted..... 07/11/2024

All initial requests for information to Applicants  
shall be filed no later than ..... 07/12/2024

Applicants shall file responses to initial requests for  
information no later than..... 07/26/2024

All supplemental requests for information to Applicants  
shall be filed no later than ..... 08/09/2024

Applicants shall file responses to supplemental requests for  
information no later than..... 08/23/2024

Last day to request a Public Hearing or submit a  
request for the matter be decided based upon the written record ..... 08/30/2024

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