



November 6, 2014

By Hand Delivery and By Email

David Foster
Utilities Division Chief
Tennessee Regulatory Authority
502 Deaderick Street, 4th Floor
Nashville, TN 37243

Re: Docket No. 14-00067, *Petition of Midwest Cable Phone of Tennessee, LLC*
(*"Midwest Cable Phone-Tennessee"*) for a Certificate as a Competing
Telecommunications Service Provider

Dear Mr. Foster:

Pursuant to your letter dated October 28, 2014 in the above-referenced docket, below please find responses to each of your inquiries.

- 1) What is the status of the transaction between Comcast Corporation and Charter Communications, Inc. referenced at the time of this filing?

At the time the Comcast-Time Warner Cable merger was announced, Comcast stated its intention to reduce the combined company's video subscribers by approximately three million so that the number of Comcast's managed residential video subscribers would be less than 30 percent of the total U.S. multichannel video programming distributor market. The Comcast-Charter agreement was entered into to satisfy this intention. In October 2014, Comcast's merger with Time Warner Cable received overwhelming support from Comcast shareholders, with more than 99% of the votes cast approving that merger. 75% of the state utility commissions with approval authority for the Time Warner Cable transaction have already approved. In addition, more than 90% of the 2,500 plus franchising authorities (covering more than 7,800 franchise areas and communities) have approved the merger. Comcast continues to expect the merger to close in early 2015.

The transaction with Charter has been approved by the boards of directors of both Comcast and Charter, and Midwest Cable has thus far also received approvals from more than half of the state commissions in which approvals are needed.

- 2) What is the anticipated closing date of the transaction?

The companies anticipate that the transaction will close in early 2015. The transactions involving Comcast, Charter and Midwest Cable will close shortly after the closing of the Comcast and Time Warner Cable transaction.

- 3) Is it the intent of Midwest to have its Application heard and considered by the Authority after the spin-off of Midwest Cable, LLC has taken place?

If so, Midwest should notify the Authority once the spin-off has been completed and supplement its Application to reflect Midwest Cable Phone of Tennessee's managerial, technical and financial qualifications to provide telecommunications services after the spin-off. In other words, Midwest should verify that all anticipated managerial, technical, and financial qualifications asserted in the application prior to the spin-off have actually taken place.

If Midwest intends for the Authority to hear and consider the application prior to the spin-off taking place, please provide Midwest Cable Phone of Tennessee's managerial, technical, and financial qualifications of Midwest that are currently in place and exist prior to the spin-off. In addition, Midwest should amend its application to include all required information based on current, not anticipated, qualifications.

As stated in the petition (at p. 2), the Applicant requests that the TRA promptly issue a certificate to Midwest Cable Phone-Tennessee "becoming effective automatically upon consummation of the spin-off." Therefore, this petition requests authority for the post-spin-off entity and the petition describes the managerial, technical and financial qualifications of the post-spin-off entity so as to meet the statutory qualifications for the issuance of a certificate. Additional information concerning Midwest Cable, the parent company of Midwest Cable Phone-Tennessee, is provided in the Form S-1 for Midwest Cable, filed with the United States Securities and Exchange Commission and available at <http://www.sec.gov/Archives/edgar/data/1622920/000095010314007638/0000950103-14-007638-index.htm>

- 4) Provide the name and telephone number of the person authorized to respond to Tennessee Regulatory Authority inquiries.

Richard R. Wolfe
Vice President, Government & Regulatory Affairs
Central Division, Comcast Cable
600 Galleria Parkway | Suite 1100
Atlanta, GA 30339
office: 678.385.5178 | cell: 678-296-8468
richard_wolfe@cable.comcast.com

- 5) Specifically what types of “regulated and unregulated telecommunications services” will Midwest Cable Phone of Tennessee, LLC be offering in Tennessee?

Midwest Cable Phone-Tennessee will initially provide telecommunications services that are comparable to those that customers are receiving from Comcast Phone of Tennessee, LLC today, including, but not limited to, those found in Comcast’s tariffs (linked at <http://www.comcast.com/corporate/about/phonetermsofservice/circuit-switched/cdpstatetariffs.html>).

- 6) Have any of the anticipated post spin-off subsidiaries of Midwest Cable, Inc. been approved in other states? If so, list the states and the authority received by each.

Yes. Georgia, Illinois, Indiana,¹ Wisconsin, and Virginia. Each of the orders granting authority in these states is attached.

Please direct any further questions to the undersigned.

Respectfully submitted,

By: 

Henry Walker (B.P.R. No. 000272)
Bradley Arant Boult Cummings, LLP
1600 Division Street, Suite 700
Nashville, TN 37203
Phone: 615-252-2363
Email: hwalker@babbc.com

Attachments

¹ The Indiana Utility Regulatory Commission granted two separate certificates to post-spin-off subsidiaries of Midwest Cable – one for the CLEC entity and another for the VoIP entity.

COMMISSIONERS:

CHUCK EATON, CHAIRMAN
H. DOUG EVERETT
TIM G. ECHOLS
LAUREN "BUBBA" McDONALD, JR.
STAN WISE



FILED

AUG 20 2014

EXECUTIVE SECRETARY
G.P.S.C.

DEBORAH K. FLANNAGAN
EXECUTIVE DIRECTOR

REECE McALISTER
EXECUTIVE SECRETARY

Georgia Public Service Commission

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ATLANTA, GEORGIA 30334-9052

FAX: (404) 656-2341
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DOCKET NO. 38563

CERTIFICATE NO. X-1116 / 54802
DOCUMENT #

IN RE: Application of Midwest Cable Phone of Georgia, LLC for a Certificate of Authority to Construct or Operate Telephone Line, Plant or System.

CERTIFICATE OF AUTHORITY

TOLL LINES

Decided: August 19, 2014

BY THE COMMISSION:

On, June 17, 2014, Midwest Cable Phone of Georgia, LLC (hereinafter referred to as the "Company") filed with the Georgia Public Service Commission (hereinafter the "Commission") an application for a Certificate of Authority to provide intrastate intraLATA and interLATA telecommunications service throughout the state of Georgia. By way of background, Georgia was divided into five Local Access and Transport Areas ("LATAs") as a result of certain litigation involving AT&T (formerly known as American Telephone and Telegraph Company) which resulted in what is commonly referred to as the Modified Final Judgement, the consent decree entered by the United States District Court in United States v. American Telephone and Telegraph Company, 552 F. Supp. 131 (D.D.C. 1982), aff'd sub nom. Maryland v. United States, 103 S. Ct. 1240 (1983).

In filing this application, the Company seeks authority to become an intraLATA and interLATA interexchange facilities-based carrier operating within the state of Georgia.

The Commission has reviewed the Company's application and will impose the same conditions and restrictions as contained in the Orders issued in Docket Nos. 3439-U (AT&T), 3446-U (MCI), 3451-U (GTE-Sprint), 3458-U (Microtel), 3501-U (SouthernTel), and 3575-U (U.S. Sprint).

...
In Administrative Session on August 19, 2014, the Commission voted to waive public hearing on this matter.

After carefully analyzing all evidence of the record in this case, the Commission makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1.

The Company has filed an application seeking authority to provide state-wide intraLATA and interLATA interexchange facilities-based telecommunications services in the state of Georgia.

2.

The Commission has considered the application of the Company for a Certificate of Authority.

3.

The state of Georgia has been divided as a consequence of the Modified Final Judgement into five LATAs (local access and transport areas).

4.

The Company is a long-distance telecommunications carrier authorized by the Federal Communications Commission ("FCC") to construct and operate interstate telecommunications services. The Company owns facilities and/or leases them from/to other common carriers. The Company's system provides interstate telecommunications services including private line offerings.

5.

The Commission finds that the Company has the financial, technical and managerial ability to provide intraLATA and interLATA intrastate telecommunications service for which it is seeking a Certificate of Authority.

6.

The Commission finds that the Company will provide message telecommunications service (MTS), direct distance dialing (DDD); private line and other services.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Commission makes the following Conclusions of Law:

1.

Pursuant to O.C.G.A. §§ 46-5-163(b), 46-5-41, 46-2-23 and 46-2-25, the Commission has jurisdiction to grant the certificate requested herein and to determine the reasonableness of the rates, charges, classifications and services of the Company.

2.

O.C.G.A. § 46-5-43 requires that when an application to acquire or operate a telephone system is received, proper notice of the application shall be given to specifically identified groups and classes of persons.

3.

The Commission, pursuant to O.C.G.A. §§ 46-5-41, 46-5-163(b), and 46-5-168, has the authority based upon applicable law to refuse to issue the certificate or to issue it in part or in whole.

4.

The Commission further concludes that this certificate authorizes the Company to provide intraLATA and interLATA services throughout the State of Georgia. The Company will be subject to this Commission's decisions on all issues concerning the completion of intraLATA and interLATA calls. The Company is authorized to sell its services and to resell services of other certificated carriers.

5.

The Commission further concludes, pursuant to O.C.G.A. §§ 46-2-25.1, 46-2-25.2 and 46-2-25.3, that all companies providing services between Georgia's LATAs should take certain steps to insure that customers utilizing the services of the companies are not billed for county-wide local calls, 16-mile toll-free calls, and toll-free calls within 22 miles that both originate and terminate within a given LATA. In the case of companies providing services to other common carriers for resale, the foregoing restriction shall apply to the reselling company.

WHEREFORE, it is

ORDERED, that a Certificate of Authority number X-1116 is hereby granted to Midwest Cable Phone of Georgia, LLC to provide intraLATA and interLATA intrastate telecommunications services in Georgia.

ORDERED FURTHER, that the Company chose not to file a tariff pursuant to O.C.G.A. § 46-5-251.

ORDERED FURTHER, that if the Company desires to do business in Georgia under any name which does not appear on this certificate, the Company shall submit an application for amendment to its certification stating the name under which it plans to conduct business.

ORDERED FURTHER, that the Company shall contribute to the Universal Access Fund as prescribed in Docket No. 5825-U.

ORDERED FURTHER, that the Company shall be responsible for ensuring that its employees, agents or designees comply fully with all applicable laws, rules and orders of the Commission relating to safe excavation procedures, including, but not limited to O.C.G.A. § 25-9-1 et seq., the Georgia Utility Facility Protection Act. Violations of such laws, rules, or orders of the Commission by the Company's employees, agents or designees may result in revocation, suspension or other limitation on the Company's certificate of authority and may result in fines assessed on the Company pursuant to O.C.G.A. § 46-2-91.

ORDERED FURTHER, that pursuant to O.C.G.A. § 46-5-168(b)(2) the certificate granted herein shall be subject to revocation if the Company fails to notify the Commission of any change in its contact address on file with the Commission, fails to comply with Commission requirements or orders, or violates any applicable law or Commission rule.

ORDERED FURTHER, that all statements of fact, law and regulatory policy contained within the preceding sections of this Order be adopted as findings and conclusions of law and conclusion of regulatory policy of the Commission.

ORDERED FURTHER, that jurisdiction over this matter is expressly retained for the purpose of entering such further order or orders as this Commission may deem just and proper.

ORDERED FURTHER, that any motion for reconsideration and/or rehearing in this case shall not have the effect of staying this Order of the Commission, except insofar as the Commission may otherwise provide.

The above by action of the Commission in Administrative Session on August 19, 2014.



Reece McAlister
Executive Secretary

DATE: 8-20-14



Chuck Eaton
Chairman

DATE: 8/20/14

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Midwest Cable Phone of Illinois, LLC	:	
	:	
Application for a certificate of local and	:	
interexchange authority to operate as a	:	14-0430
reseller and facilities-based carrier of	:	
telecommunications Services in the State	:	
of Illinois.	:	

ORDER

By the Commission:

On June 17, 2014, Midwest Cable Phone of Illinois, LLC ("Applicant") filed a verified application with the Illinois Commerce Commission ("Commission") pursuant to Section 13-403 of the Illinois Public Utilities Act (the "Act") for a Certificate of Interexchange Service Authority to provide facilities-based interexchange telecommunications services; pursuant to Section 13-404 of the Act for a Certificate Service Authority to provide resold local and interexchange telecommunications services; and pursuant to Section 13-405 of the Act for a Certificate of Exchange Service Authority to provide facilities-based local telecommunications services in Illinois (220 ILCS 5/13-403, 5/13-404 and 5/13-405).

Pursuant to notice given in accordance with the rules and regulations of the Commission, this matter came on for hearing on July 22, 2014, before a duly authorized Administrative Law Judge of the Commission at its offices in Chicago, Illinois. Applicant appeared by counsel and presented the testimony of Beth Choroser, Executive Director for Regulatory Affairs. At the conclusion of the hearing on July 22, 2014, the record was marked "Heard and Taken."

I. Applicant Position

Applicant is a Delaware limited liability company authorized to transact business in Illinois. It seeks to provide facilities-based interexchange, resold local and interexchange, and facilities-based local telecommunications services in Illinois. Applicant submitted evidence that it has the requisite technical, financial and managerial resources and abilities to provide the services set forth in its application. Applicant filed a Balance Sheet and a Statement of Income as evidence of its financial ability to support the services it will offer. Applicant also submitted the management profiles of its key personnel to show that they have the necessary business and telecommunications experience to support the services Applicant will offer in Illinois. Applicant will have technical personnel available at all times to assist customers with service problems.

Ms. Choroser testified that Applicant will adhere to all statutes, rules and regulations pertaining to slamming and cramming.

Applicant has not been denied a Certificate of Service or had its certification revoked or suspended in any jurisdiction in this or any other name. Applicant has not had any complaints or judgments levied against it in any other jurisdiction in this or any other name. Applicant will comply with all Illinois and Federal laws, rules and regulations, as well as all Commission rules, in its provision of service.

Applicant has requested that the Commission make certain declarations and grant certain waivers of the requirements of the Public Utilities Act and from the rules and regulations of the Commission. The services Applicant proposes to provide will be competitive telecommunications services as described in Section 13-502(b) of the Act. Petitioner is required to file a tariff with the Commission under Section 13-501 of the Act describing the nature of its service, the applicable rates and charges, and the terms and conditions of the service provided. If Applicant files the required tariff in compliance with Section 13-502(e) of the Act and the rules adopted thereunder in 83 Ill. Adm. Code 745, many provisions of the Act as well as the regulations adopted by the Commission in Title 83 of the Illinois Administrative Code will be inapplicable to the Applicant.

For local and interexchange service, Applicant should be granted pursuant to Section 13-402 of the Act, a waiver of 83 Ill. Adm. Code, Part 710, the requirement to keep books and records in accordance with the Uniform System of Accounts, in order to reduce the economic burdens of regulation on a telecommunications carrier which provides only competitive services. For local service, Applicant should also be granted a variance from Part 735.180. Applicant will contract with underlying carriers to include Applicant's customer listings in their directories. For interexchange service, Applicant should further be granted a waiver of Part 735, governing credit, billing deposits, and termination of service, for the reasons stated hereinabove.

Applicant also requested Commission approval pursuant to 83 Ill. Adm. Code 250 to maintain its books and records at its parent company's principle place of business in Pennsylvania. Applicant's request should be granted in accordance with Section 5-106 of the Act.

II. Staff Position

Staff stated that it had reviewed the application and supporting documentation and based on that review, it had no objection to granting the requested certificates.

III. Findings and Ordering Paragraphs

The Commission, having considered the entire record herein and being fully advised in the premises, is of the opinion and finds that:

- (1) Midwest Cable Phone of Illinois, a Delaware limited liability company authorized to transact business in Illinois, seeks a Certificate of Interexchange Service Authority pursuant to Section 13-403 of the Act to provide facilities-based interexchange telecommunications services; a Certificate Service Authority pursuant to Section 13-404 of the Act to provide resold local and interexchange telecommunications services; and pursuant to Section 13-405 of the Act for a Certificate of Exchange Service Authority to provide facilities-based local telecommunications services;
- (2) the Commission has jurisdiction over the parties and over the subject matter of this proceeding;
- (3) as required by Sections 13-403, 13-404 and 13-405 of the Act, Applicant possesses sufficient technical, financial and managerial resources to provide facilities-based and resold local and interexchange telecommunications services in Illinois;
- (4) Applicant should file with the Commission a tariff consisting of its rates, rules and regulations in accordance with Sections 13-501 and 13-502 of the Act, to be effective upon proper filing before commencing service;
- (5) with regard to Applicant's provision of local exchange service, Applicant should be granted a variance from the requirements of 83 Ill. Adm. Code 735, Section 735.180, regarding publication of local directories, as it will contact with the incumbent local exchange carrier to include Applicant's customer listings within those directories;
- (6) with regard to Applicant's provision of local and interexchange service, Applicant should be granted a waiver from 83 Ill. Adm. Code 710, the Uniform System of Accounts for Telecommunications Carriers, as long as Applicant maintains its accounting records in accordance with Generally Accepted Accounting Principles and at a level of detail substantially similar to the accounting system which it currently uses pursuant to its Chart of Accounts, and in sufficient detail to comply with all applicable tax laws;
- (7) with regard to Applicant's provision of interexchange services, Applicant should further be granted a waiver of Part 735, governing credit, billing deposits, and termination of service;
- (8) Applicant should establish books of account such that revenues from its telecommunications services, subject to the public utility revenue tax, are segregated from the revenues derived from other business activities not regulated by the Commission.
- (9) the financial statements and switching data filed by Applicant should be afforded proprietary treatment and should be exempt from public

disclosure and be accessible only by the Commission and Commission Staff for a period of two years from the date this Order is entered;

- (10) pursuant to 83 Ill. Adm. Code 250, Applicant should be allowed to maintain its books and records at its parent company's principal place of business in Pennsylvania in accordance with Section 5-106 of the Act.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that Midwest Cable Phone of Illinois, LLC be, and is hereby, granted a Certificate of Interexchange Service Authority pursuant to Section 13-403 to provide facilities-based interexchange telecommunications services in Illinois.

IT IS FURTHER ORDERED that the Certificate of Interexchange Service Authority hereinabove granted shall be the following:

CERTIFICATE OF INTEREXCHANGE SERVICE AUTHORITY

IT IS HEREBY CERTIFIED that Midwest Cable Phone of Illinois, LLC is authorized, pursuant to Section 13-403 of the Public Utilities Act, to provide facilities-based interexchange telecommunications services within the State of Illinois.

IT IS FURTHER ORDERED that Midwest Cable Phone of Illinois, LLC be, and is hereby, granted a Certificate of Service Authority pursuant to Section 13-404 to provide resold local and facilities-based telecommunications services in Illinois.

IT IS FURTHER ORDERED that the Certificate of Service Authority hereinabove granted shall be the following:

CERTIFICATE OF SERVICE AUTHORITY

IT IS HEREBY CERTIFIED that Midwest Cable Phone of Illinois, LLC is authorized, pursuant to Section 13-404 of the Public Utilities Act, to provide resold local and interexchange telecommunications services within the State of Illinois.

IT IS FURTHER ORDERED that Midwest Cable Phone of Illinois, LLC be, and is hereby, granted a Certificate of Exchange Service Authority pursuant to Section 13-405 to provide facilities-based local telecommunications services in Illinois.

IT IS FURTHER ORDERED that the Certificate of Exchange Service Authority hereinabove granted shall be the following:

CERTIFICATE OF EXCHANGE SERVICE AUTHORITY

IT IS HEREBY CERTIFIED that Midwest Cable Phone of Illinois, LLC is authorized, pursuant to Section 13-405 of the Public Utilities Act, to provide facilities-based local exchange telecommunications services within the State of Illinois.

IT IS FURTHER ORDERED that Midwest Cable Phone of Illinois, LLC file with this Commission a tariff consisting of its rates, rules and regulations, to be effective upon proper filing before commencing service.

IT IS FURTHER ORDERED that 83 Ill. Adm. Code 710, 735, and 735.180 be, and are hereby, waived as set forth in Findings (5), (6), and (7) hereinabove.

IT IS FURTHER ORDERED that as a condition of these Certificates, Midwest Cable Phone of Illinois, LLC be, and is hereby, directed to establish books of account such that revenues from its telecommunications services, subject to the public utility revenue tax, are segregated from the revenues derived from other business activities not regulated by the Commission.

IT IS FURTHER ORDERED that pursuant to 83 Ill. Adm. Code 250, Midwest Cable Phone of Illinois, LLC is authorized to maintain its books and records at its principal place of business in Pennsylvania.

IT IS FURTHER ORDERED that Chart of Accounts and list of Exchanges filed by Midwest Cable Phone of Illinois, LLC are afforded confidential and proprietary treatment, are exempt from public disclosure, and will be accessible only by the Commission and Commission Staff for a period of two years from the date this Order is entered.

IT IS FURTHER ORDERED that subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.

By order of the Commission this 13th day of August, 2014.

(SIGNED) DOUGLAS P. SCOTT

Chairman



STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

APPLICATION OF MIDWEST CABLE)
PHONE OF INDIANA, LLC FOR A) CAUSE NO. 44505
CERTIFICATE OF TERRITORIAL)
AUTHORITY FOR COMMUNICATIONS) APPROVED:
SERVICE PROVIDERS)

AUG 06 2014

ORDER OF THE COMMISSION

Presiding Officer:

Marya E. Jones, Administrative Law Judge

On June 17, 2014, Midwest Cable Phone of Indiana, LLC ("Applicant") filed with the Indiana Utility Regulatory Commission ("Commission") its Application for a Certificate of Territorial Authority ("CTA") to provide communications services, specifically telecommunications services as defined in 47 U.S.C. § 153(46)¹ and described in the Application, within the State of Indiana. The Commission published notice that Applicant filed an application for a CTA to provide communications services within the State of Indiana. Absent a timely request, the Application may be granted without a hearing.

Based upon information contained in the Application and applicable law, the Commission makes the following findings:

1. **Commission Notice and Jurisdiction.** Due, legal and timely notice of the Application was given and published by the Commission in accordance with General Administrative Order ("GAO") 2011-2 and Ind. Code § 8-1-32.5-9. Applicant requests the issuance of a CTA pursuant to Ind. Code ch. 8-1-32.5 and, therefore, the Commission has jurisdiction over the Applicant and the subject of this Cause.

2. **Commission Discussion and Findings.** The Applicant filed an application for a CTA and information describing its legal authority and demonstrating its financial, managerial and technical ability to provide the proposed communications services in certain identified service areas. The Applicant also provided information indicating the type, means and location of service that the Applicant proposes to provide.

The Application was filed with the Commission on June 17, 2014. Notice of the Application was posted to the Commission's website. No timely written request for intervention

¹ The definition of telecommunications service referenced and cited in Indiana Code ch. 8-1-32.5 as 47 U.S.C. §153(46) was amended October 8, 2010, by Public Law 111-260. P.L. 111-260 added seven new definitions to 47 U.S.C. §153. The definition of telecommunications service was not changed, but redesignated as 47 U.S.C. §153(53). The current version of Indiana Code ch. 8-1-32.5 refers to the definitions in 47 U.S.C. §153 prior to its amendment.

or a hearing was made by any entity during the 30-day posting period, and the Commission has not, on its own motion, determined a need for a hearing in this Cause. Accordingly, no hearing is required in this Cause.

Therefore, based upon the information provided by the Applicant in its Application, the Commission finds that a Certificate of Territorial Authority for telecommunications service, specifically interexchange and local exchange services, and exchange access and private line service proposed to be offered within the service areas identified in the Application should be issued to the Applicant, consistent with and subject to the following findings.

The Applicant shall comply with all applicable legal requirements pertaining to the provision of the communications services authorized by this CTA, including, but not limited to, the following:

a. **Public Utility Fees.** Applicant shall pay all public utility fees assessed by the Commission, pursuant to Ind. Code ch. 8-1-6.

b. **InTRAC.** Applicant shall establish and maintain contact with the Indiana Telephone Relay Access Corporation for the Hearing and Speech Impaired ("InTRAC") and pay all fees required by Ind. Code ch. 8-1-2.8.

c. **211 Dialing Code.** Applicant shall establish and maintain contact with, and provide appropriate notice to, the Indiana 211 Partnership, Inc. (the designated administrator of the 211 dialing code in Indiana) to coordinate proper switch translations for the 211 dialing code described in Ind. Code ch. 8-1-19.5 to ensure that its customers can dial "211" when desired or, in the case of a bundled reseller of local exchange service, to ensure the facilities-based carrier has provided 211 Service.

d. **E-911.** If and to the extent Applicant is a "provider" (as defined in Ind. Code § 36-8-16.7-19), Applicant shall provide notice to all counties and Public Service Answering Points ("PSAPs") covering areas in which the Applicant offers communications service (as defined in Ind. Code § 36-8-16.7-7) in Indiana to users (as defined in Ind. Code § 36-8-16.7-21), when the offering of communications service commences in the county and the PSAP's area, in order to facilitate the continued operation of the enhanced emergency telephone systems, provide PSAP database updates to applicable 911 Service Providers, and perform all other obligations and responsibilities as set forth in Ind. Code ch. 36-8-16.6 and/or Ind. Code ch. 36-8-16.7, as applicable.

e. **Dialing Parity.** Applicant shall implement dialing parity to competing service providers throughout its Indiana service territory as required by § 251(b)(3) of the Telecommunications Act of 1996 and the Commission's Order in Cause No. 40284,²

² *AT&T Communications of Indiana, Inc., LCI International Telecom Corp., Sprint Communications Co. L.P., and WorldCom, Inc. d/b/a LDDS WorldCom*, Cause No. 40284, 1996 Ind. PUC LEXIS 458, at *79-80 (IURC Nov. 26, 1996).

commencing with Applicant's initial provision of the requested communications services within the state.

f. **Indiana Universal Service Fund.** Applicant shall pay all required assessments into the Indiana Universal Service Fund ("IUSF"), based on the "net billed intrastate retail telecommunications revenue," pursuant to the Order in Cause No. 42144³ and the "Implementation Guidelines" attached to the July 25, 2007 Docket Entry issued in Cause No. 42144, and pursuant to any subsequently issued IUSF-related requirements, rules, or procedures.

g. **List of Current Intrastate Access Rates and Charges.** Consistent with Ind. Code §§ 8-1-32.5-6(b)(3)(E)(ii) and 8-1-2-88.6 and various orders of the Commission in Cause No. 39369, Applicant shall file prior to commencement of service, the rates, charges, terms and conditions for switched and special access services and/or appropriate concurrence or exception pages if the offering of such services have been approved by the Commission. In addition, pursuant to the Commission's GAO 1998-2, Applicant should provide current hyperlinks to the rates, charges, terms and conditions that are subject to these findings, so that such links may be posted on the Commission's website. These rates, charges, terms, and conditions shall be set forth in the appropriate Access Rate and Service Guide.

h. **Notice of Initiation of Service.** Pursuant to Ind. Code §§ 8-1-32.5-6(b)(3)(D) and 8-1-32.5-6(a)(9)(A), Applicant shall file under this Cause a notice with the Secretary of the Commission of Applicant's "in service" dates (i.e., the dates on which Applicant commences offering communications service in each service area identified in the Application in accordance with Ind. Code § 8-1-32.5-6(a)(4)) within ninety (90) days of each "in service" date.

i. **Additional Filing Requirements.** Applicant shall file any other data, information, or reports required or requested by the Commission, including but not limited to information concerning the types of service offered, the areas in which the services are offered and any information needed by the Commission.

j. **Indiana Underground Plant Protection Service.** To the extent Applicant owns, maintains, or otherwise has control over underground facilities, Applicant shall establish and maintain contact with, and provide appropriate notice to, the Indiana Underground Plant Protection Service, the designated administrator of the 811 dialing code in Indiana, and comply with Ind. Code ch. 8-1-26.

k. **Notice of Changes.** Applicant shall notify the Commission, pursuant to Ind. Code § 8-1-32.5-12, of any change involving either the Applicant or the CTA occurring after the issuance of this CTA. Such notice shall be provided using a Verified Notice of Change form in accordance with GAO 2011-2. If the change involves the provision of other types of services than those approved herein or the reclassification of a communications service approved in this CTA, additional obligations and fees may apply.

l. **Other Customer Notifications.** Applicant shall provide appropriate notice to customers when Applicant offers new communications services, discontinues communications

³ *Commission Investigation*, Cause No. 42144, 2004 Ind. PUC LEXIS 61 (IURC March 17, 2004).

services, and/or increases rates and charges for communications services in any of the Applicant's service areas in Indiana pursuant to Ind. Code § 8-1-32.5-11(b) and any regulations adopted by the Commission.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

1. Subject to the Findings set forth in this Order, the Applicant, Midwest Cable Phone of Indiana, LLC, is hereby issued a Certificate of Territorial Authority as a Communications Service Provider to provide telecommunications service, specifically interexchange and local exchange services, and exchange access and private line service as requested in the Application that is the subject of this Order.

2. This Order shall be effective on and after the date of its approval.

STEPHAN, WEBER, AND ZIEGNER CONCUR; MAYS ABSENT:

APPROVED: AUG 06 2014

**I hereby certify that the above is a true
and correct copy of the Order as approved.**


Brenda A. Howe
Secretary to the Commission

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

APPLICATION OF MIDWEST CABLE IP)
PHONE OF INDIANA, LLC FOR A) CAUSE NO. 44506
CERTIFICATE OF TERRITORIAL AUTHORITY)
FOR COMMUNICATIONS SERVICE) APPROVED:
PROVIDERS)

AUG 06 2014

ORDER OF THE COMMISSION

Presiding Officer:

Marya E. Jones, Administrative Law Judge

On June 17, 2014, Midwest Cable IP phone of Indiana, LLC ("Applicant") filed with the Indiana Utility Regulatory Commission ("Commission") its Application for a Certificate of Territorial Authority ("CTA") to provide communications services, specifically information service as defined in 47 U.S.C. § 153(20)¹ and described in the Application, within the State of Indiana. Applicant amended its Application on July 11, 2014. The Commission published notice that Applicant filed an application for a CTA to provide communications services within the State of Indiana. Absent a timely request, the Application may be granted without a hearing.

Based upon information contained in the Application and applicable law, the Commission makes the following findings:

1. Commission Notice and Jurisdiction. Due, legal and timely notice of the Application was given and published by the Commission in accordance with General Administrative Order ("GAO") 2011-2 and Ind. Code § 8-1-32.5-9. Applicant requests the issuance of a CTA pursuant to Ind. Code ch. 8-1-32.5 and, therefore, the Commission has jurisdiction over the Applicant and the subject of this Cause.

2. Commission Discussion and Findings. The Applicant filed an application for a CTA and information describing its proposed communications services in the State of Indiana.

The Application was filed with the Commission on June 17, 2014 and amended on July 11, 2014. Notice of the Application was posted to the Commission's website. No timely written request for intervention or a hearing was made by any entity during the 30-day posting period, and the Commission has not, on its own motion, determined a need for a hearing in this Cause. Accordingly, no hearing is required in this Cause.

¹ The definition of information service referenced and cited in Indiana Code ch. 8-1-32.5 as 47 U.S.C. §153(20) was amended October 8, 2010 by Public Law 111-260. P.L. 111-260 added seven new definitions to 47 U.S.C. §153. The definition of information service was not changed, but redesignated as 47 U.S.C. §153(24). The current version of Indiana Code ch. 8-1-32.5 refers to the definitions in 47 U.S.C. §153 prior to its amendment.

Therefore, based upon the information provided by the Applicant in its Application, the Commission finds that a Certificate of Territorial Authority for information services, specifically Internet protocol enabled services, proposed to be offered within the State of Indiana should be issued to the Applicant, consistent with and subject to the following findings.

The Applicant shall comply with all applicable legal requirements pertaining to the provision of the communications services authorized by this CTA, including, but not limited to, the following:

a. **E-911.** If and to the extent Applicant is a "provider" (as defined in Ind. Code § 36-8-16.7-19), Applicant shall provide notice to all counties and Public Service Answering Points ("PSAPs") covering areas in which the Applicant offers communications service (as defined in Ind. Code § 36-8-16.7-7) in Indiana to users (as defined in Ind. Code ch. 36-8-16.7-21), when the offering of communications service commences in the county and the PSAP's area, in order to facilitate the continued operation of the enhanced emergency telephone systems, provide PSAP database updates to applicable 911 Service Providers and perform all other obligations and responsibilities as set forth in Ind. Code ch. 36-8-16.6 and/or Ind. Code ch. 36-8-16.7, as applicable.

b. **Notice of Initiation of Service.** Pursuant to Ind. Code §§ 8-1-32.5-6(b)(3)(D) and 8-1-32.5-6(a)(9)(A), Applicant shall file under this Cause a notice with the Secretary of the Commission of Applicant's "in service" dates (i.e., the dates on which Applicant commences offering communications service) within ninety (90) days of each "in service" date.

c. **Additional Filing Requirements.** Applicant shall file any other data, information, or reports required or requested by the Commission, including but not limited to information concerning the types of service offered and any information needed by the Commission.

d. **Indiana Underground Plant Protection Service.** To the extent Applicant owns, maintains, or otherwise has control over underground facilities, Applicant shall establish and maintain contact with, and provide appropriate notice to, the Indiana Underground Plant Protection Service, the designated administrator of the 811 dialing code in Indiana, and comply with Ind. Code ch. 8-1-26.

e. **Notice of Changes.** Applicant shall notify the Commission, pursuant to Ind. Code § 8-1-32.5-12, of any change involving either the Applicant or the CTA occurring after the issuance of this CTA. Such notice shall be provided using a Verified Notice of Change form in accordance with GAO 2011-2. If the change involves the provision of other types of services than those approved herein or the reclassification of a communications service approved in this CTA, additional obligations and fees may apply.

f. **Other Customer Notifications.** Applicant shall provide appropriate notice to customers when Applicant offers new communications services, discontinues communications services, and/or increases rates and charges for communications services in any of the

Applicant's service areas in Indiana pursuant to Ind. Code § 8-1-32.5-11(b) and any regulations adopted by the Commission.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

1. Subject to the Findings set forth in this Order, the Applicant, Midwest Cable IP Phone of Indiana, LLC, is hereby issued a Certificate of Territorial Authority as a Communications Service Provider to provide information services, specifically Internet protocol enabled services, as requested in the Application that is the subject of this Order.

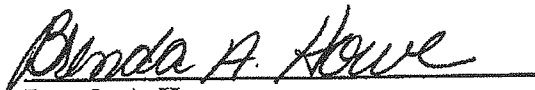
2. This Order shall be effective on and after the date of its approval.

STEPHAN, WEBER, AND ZIEGNER CONCUR; MAYS ABSENT:

APPROVED:

AUG 06 2014

**I hereby certify that the above is a true
and correct copy of the Order as approved.**



Brenda A. Howe

Secretary to the Commission

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, OCTOBER 7, 2014

SCC CLERK'S OFFICE
DOCUMENT CONTROL CENTER

2014 OCT -7 P 1:20

APPLICATION OF

MIDWEST CABLE PHONE OF VIRGINIA, LLC

CASE NO. PUC-2014-00027

For certificates of public convenience
and necessity to provide local exchange
and interexchange telecommunications
services in the Commonwealth of Virginia

FINAL ORDER

On June 17, 2014, Midwest Cable Phone of Virginia, LLC ("Midwest Cable" or "Company") completed an application with the State Corporation Commission ("Commission") for certificates of public convenience and necessity ("Certificates") to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia ("Application"). Midwest Cable also requested authority to price its interexchange telecommunications services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia ("Code").

By Order for Notice and Comment dated July 3, 2014 ("Scheduling Order"), the Commission, among other things, directed Midwest Cable to provide notice to the public of its Application and directed the Staff of the Commission ("Staff") to conduct an investigation and file a report ("Staff Report"). On August 14, 2014, Midwest Cable filed proof of service and proof of publication in accordance with the Scheduling Order.

On September 2, 2014, the Staff filed its Staff Report finding that Midwest Cable's Application was in compliance with the Rules Governing the Certification and Regulation of Competitive Local Exchange Carriers, 20 VAC 5-417-10 *et seq.*, and the Rules Governing the Certification of Interexchange Carriers, 20 VAC 5-411-10 *et seq.* Based upon its review of

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Midwest Cable's Application, the Staff determined it would be appropriate to grant the Company Certificates subject to the following condition: Midwest Cable should notify the Division of Communications no less than 30 days prior to the cancellation or lapse of its bond and should provide a replacement bond at that time. This requirement should be maintained until such time as the Commission determines it is no longer necessary.

The Scheduling Order provided an opportunity for the Company to file a response to the Staff Report. On September 30, 2014, Midwest Cable filed its response agreeing with and supporting Staff's recommendation that the Commission grant it Certificates.

NOW THE COMMISSION, having considered the Application and the Staff Report, finds that it should grant Midwest Cable Certificates. Having considered § 56-481.1 of the Code, the Commission further finds that Midwest Cable may price its interexchange telecommunications services competitively.

Accordingly, IT IS ORDERED THAT:

(1) Midwest Cable hereby is granted a Certificate, No. T-735, to provide local exchange telecommunications services subject to the restrictions set forth in the Rules Governing the Certification and Regulation of Competitive Local Exchange Carriers, § 56-265.4:4 of the Code, and the provisions of this Order.

(2) Midwest Cable hereby is granted a Certificate, No. TT-282A, to provide interexchange telecommunications services subject to the restrictions set forth in the Commission's Rules Governing the Certification of Interexchange Carriers, § 56-265.4:4 of the Code, and the provisions of this Order.

(3) Pursuant to § 56-481.1 of the Code, Midwest Cable may price its interexchange telecommunications services competitively.

(4) Prior to providing telecommunications services pursuant to the Certificates granted by this Order, Midwest Cable shall provide tariffs to the Division of Communications that conform to all applicable Commission rules and regulations. If the Company elects to provide retail services on a non-tariffed basis, it shall provide written notification pursuant to Rule 20 VAC 5-417-50 A 2.

(5) Midwest Cable shall notify the Division of Communications no less than thirty (30) days prior to the cancellation or lapse of its bond and shall provide a replacement bond at that time. This requirement shall be maintained until such time as the Commission determines it is no longer necessary.

(6) There being nothing further to come before the Commission, this case hereby is dismissed, and the papers filed herein shall be placed in the file for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to:
 Brian A. Rankin, Senior Deputy General Counsel, Vice President, Chief Regulatory Counsel – Cable, Comcast Corporation, 1701 John F. Kennedy Boulevard, 55th Floor, Philadelphia, Pennsylvania 19103; Michael J. Quinan, Esquire, Christian & Barton, LLP, 909 East Main Street, Suite 1200, Richmond, Virginia 23219-3095; L. Charles Keller, Esquire, Wilkinson Barker Knauer LLP, 2300 N Street, NW, Suite 700, Washington D.C. 20037; and C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of the Attorney General, 900 East Main Street, Second Floor, Richmond, Virginia 23219. A copy also shall be delivered to the Commission's Office of General Counsel and Divisions of Communications and Public Service Taxation.

SERVICE DATE
Jul 01, 2014

PSC REF#: 209634

Public Service Commission of Wisconsin
RECEIVED: 07/01/14, 12:58:02 PM

PUBLIC SERVICE COMMISSION OF WISCONSIN

Application of Midwest Cable Phone of Wisconsin, LLC for Certification
as a Competitive Local Exchange Carrier and Alternative
Telecommunications Utility

3667-NC-100

**FINAL DECISION GRANTING CERTIFICATION
AS A COMPETITIVE LOCAL EXCHANGE CARRIER**

Introduction

On June 17, 2014, Midwest Cable Phone of Wisconsin, LLC (Applicant), 1701 John F. Kennedy Boulevard, Philadelphia, PA 19103-2838, filed an application to be certified as a competitive local exchange carrier (CLEC). The Applicant, pursuant to Wis. Stat. § 196.203, seeks certification as an alternative telecommunications utility under the "other" category, defined in Wis. Stat. § 196.01(1d)(f), to provide intrastate intraLATA and interLATA toll and local exchange services. A list of persons interested in this proceeding may be found in Appendix A.

Introduction

The Legislature and Governor enacted 2011 Wisconsin Act 22 (Act 22), also known as the Telecommunications Modernization Act, which became effective on June 9, 2011. Act 22 significantly modified Wis. Stat. ch. 196 relating to the regulation of telecommunications utilities and telecommunications services in Wisconsin. Act 22 implements a clear intention to level the regulatory playing field among competitors by imposing similar regulations on competing entities.

In a Final Decision¹ issued July 12, 2011, the Commission granted a recertification to Wisconsin Bell, Inc., d/b/a AT&T Wisconsin that addressed many issues related to the new recertification process arising from Act 22. Since the AT&T Wisconsin recertification in docket 6720-NC-100 was also as an alternative telecommunications utility (ATU), the Final Decision in that case addressed the application of the “parity provision” in Wis. Stat. § 196.203(3) (“If the commission imposes a provision of this chapter specified in sub. (4m)(a) on an [ATU] under this subsection, the commission shall impose the same provision at the same level of regulation on all other alternative telecommunications utilities.”). Following on its determinations in docket 6720-NC-100, the Commission also recertified numerous entities, specifically affiliates of CenturyTel, Frontier, and TDS Telecom.² Due to the enactment of Act 22 and the above-cited decisions, the Commission will grant this application with a reduced level of regulation subject to the parity provision.

At its open meeting of November 3, 2011, the Commission delegated the issuance of this type of Final Decision to the Division Administrator of the Telecommunications Division based on the guidance provided in previous dockets involving recertification pursuant to the provisions of Act 22.

¹ See “Final Decision Granting Recertification as an Alternative Telecommunications Utility, *Notice of Wisconsin Bell, Inc., d/b/a AT&T Wisconsin to Terminate Certificate Under Wis. Stat. § 196.50 and Become Certified as an Alternative Telecommunications Utility Under Wis. Stat. § 196.203*, Docket No. 6720-NC-100 (July 12, 2011).

² CenturyTel affiliates were recertified ATUs under Wis. Stat. § 196.50(2)(j)1.a., the same as AT&T Wisconsin. Frontier and TDS Telecom affiliates were granted recertification as “telecommunications utilities” pursuant to Wis. Stat. § 196.50(2)(j)1.b.

Findings of Fact

1. Applicant is qualified by the Wisconsin Department of Financial Institutions to do business in Wisconsin.

2. Applicant represents that it has or will be able to secure the financial resources, managerial ability, and technical expertise to adequately provide its proposed telecommunications services. No information to the contrary has come to the Commission's attention.

3. It is consistent with Wis. Stat. § 196.203(2)(b) to reflect Applicant's certification as statewide in geographical scope.

4. The following statutes must be applied to Applicant: Wis. Stat. §§ 196.01, 196.016, 196.025(6), 196.191, 196.206, and 196.212.

5. The Commission may apply to Applicant's certification a number of statutes: Wis. Stat. §§ 196.02(1), (4), and (5); 196.04; 196.135; 196.14; 196.197(1), (2), and (4); 196.199; 196.207; 196.208; 196.209; 196.218; 196.219(1), (2)(b), (c), and (d); (2r); (3)(a), (d), (j), (m), (n) and (o); 196.25; 196.26; 196.39; 196.395; 196.40; 196.41; 196.43; 196.44; 196.65; 196.66; 196.81; 196.85; 196.858 and 196.859.

6. The Commission finds it in the public interest to impose certain statutes with respect to Applicant's intrastate switched access services, specifically Wis. Stat. §§ 196.03(1) and (6), 196.37 and 196.212; and, with respect to Applicant's wholesale telecommunications services only, Wis. Stat. §§ 196.03(1) and (6), 196.219(4), 196.28, and 196.37.

7. It is not necessary in this Final Decision to determine the application of the parity provisions of Wis. Stat. § 196.203(3) to different types of ATUs.

8. It is not necessary in this Final Decision to interpret the meaning of "switched access service" in Wis. Stat. § 196.01(8e) as that definition relates to Extended Area Service (EAS) and Extended Community Calling (ECC).

9. It is not necessary to address in this Final Decision the potential that historical, informal arrangements with other providers may be changed in light of Act 22.

10. It is reasonable to continue to apply any previous orders, rules, or Commission determinations that are not inconsistent with Act 22.

Conclusions of Law

1. The Commission concludes it has jurisdiction pursuant to Wis. Stat. §§ 196.02(1), 196.395, and 196.203 to certify Applicant as a competitive local exchange carrier in the ATU-other category. This certification under Wis. Stat. § 196.203(3) and (4m), with the imposition of statutes described above in Findings of Fact Nos. 4, 5, and 6, is in the public interest and complies with applicable law.

2. The Commission has authority under Wis. Stat. § 15.02(4) to delegate to the Administrator of the Division of Business and Communications Services those functions vested by law as enumerated above.

3. It is consistent with Wis. Stat. § 196.203(2)(b) in this certification to reflect Applicant's certification as statewide in geographical scope.

4. It is reasonable, in the public interest, and consistent with the Commission's prior decision in docket 6720-NC-100 as applicable here, to act, or refrain from acting, as set forth herein in certifying Applicant under Wis. Stat. § 196.203(2)(a).

Opinion

The Commission concludes that the public interest is best served by imposing on Applicant the same statutes imposed on AT&T Wisconsin in docket 6720-NC-100.

The public interest supports the imposition of the statutes listed in Findings of Fact Nos. 4, 5 and 6. Those statutes contribute to leveling regulation among competitors in the telecommunications service market in this state, thereby removing potentially distorting effects of differential regulation and maximizing competition consistent with Wis. Stat. §§ 133.01 and 196.03(6)(a). This reduced, “levelized” regulation, when combined with the statewide certification for ATUs effected by Wis. Stat. § 196.203(2)(b), also contributes to the public interest by promoting consumer choice, deployment of telecommunications infrastructure, and efficiency and productivity. *See* Wis. Stat. § 196.03(1) and (6)(b), (e), and (f). Other public interest factors listed in Wis. Stat. § 196.03(6) are either not relevant or outweighed by the foregoing cited factors.

Applicant’s request for certification does not alter some issues identified in docket 6720-NC-100. Specifically, this decision does not resolve the “carry over” issues, or allow for differing treatments, as to the following: (1) the meaning of “switched access service” in Wis. Stat. § 196.01(8e); (2) any changes in treatment or status of historical, informal arrangements between providers in light of Act 22; (3) any application to, or effect on, rights, duties or privileges that Applicant may have under federal law; (4) reservation of a right to seek certificate modifications to continue parity of regulatory treatment; and (5) intended continued application of previous orders, rules or Commission determinations that are not inconsistent with Act 22. *See* Final Decision, docket 6720-NC-100, at 4-5, and 10-11.

The Commission's issuance of this certification for Applicant is consistent with Wis. Stat. § 196.203, the precedential guidance of the Final Decision in docket 6720-NC-100, and the public interest as framed by Wis. Stat. § 196.03(1) and (6).

Order

1. This Final Decision shall be effective one day after the date of service.
2. Applicant is granted certification as an alternative telecommunications utility as set forth in the certificate below.
3. In the event that future Commission action implicates the parity provisions of Wis. Stat. § 196.203(3) and impacts Applicant's certificate, Applicant shall provide notice to the Commission that it desires to be issued a new certificate reflecting the change in regulation.
4. The Commission retains jurisdiction.

Certificate

Midwest Cable Phone Of Wisconsin, LLC, as of the effective date of this Final Decision, is a telecommunications utility per Wis. Stat. § 196.01(10), an ATU per Wis. Stat. § 196.01(1d)(f), certified per Wis. Stat. §§ 196.203(2)(a), and authorized throughout Wisconsin to offer facilities-based and resold intrastate telecommunications services, access services, and all other telecommunications services available for certification.

Midwest Cable Phone Of Wisconsin, LLC, shall be subject to the following statutory provisions: Wis. Stat. §§ 196.01; 196.02 (1), (4), and (5); 196.04; 196.016; 196.025(6); 196.135; 196.14; 196.191; 196.197(1), (2) and (4); 196.199; 196.206; 196.207; 196.208; 196.209; 196.212; 196.218; 196.219(1), (2)(b), (c), and (d), (2r), and (3)(a), (d), (j), (m), (n), and (o);

Docket 3667-NC-100

196.25; 196.26; 196.39; 196.395; 196.40; 196.41; 196.43; 196.44; 196.65; 196.66; 196.81;
196.85; 196.858; and 196.859.

With respect to wholesale telecommunications services only, Applicant shall be subject to the following additional provisions of Wis. Stat. ch. 196: Wis. Stat. §§ 196.03(1) and (6), 196.219(4), 196.28, and 196.37.

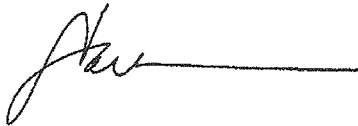
With respect to its intrastate switched access services only, Applicant shall be subject to the following additional provisions of Wis. Stat. ch. 196: Wis. Stat. §§ 196.03(1) and (6), and 196.37.

To the extent the Commission later chooses not to impose a provision listed in section Wis. Stat. § 196.203(4m)(a) on any ATU, pursuant to Wis. Stat. § 196.203(3), Applicant shall be provided the same regulatory relief and shall provide notice to the Commission that it desires to be issued a new certificate reflecting that change in regulation.

All regulatory requirements related to Applicant's certification that are not inconsistent with 2011 Wisconsin Act 22 or this certificate, apply to Applicant.

Dated at Madison, Wisconsin, June 26, 2014.

For the Commission:



Sarah Klein
Administrator
Division of Business & Communications Services
Public Service Commission of Wisconsin

SK: DL:00929655

See Attached Notice of Rights

PUBLIC SERVICE COMMISSION OF WISCONSIN
610 North Whitney Way
P.O. Box 7854
Madison, Wisconsin 53707-7854

**NOTICE OF RIGHTS FOR REHEARING OR JUDICIAL REVIEW, THE
TIMES ALLOWED FOR EACH, AND THE IDENTIFICATION OF THE
PARTY TO BE NAMED AS RESPONDENT**

The following notice is served on you as part of the Commission's written decision. This general notice is for the purpose of ensuring compliance with Wis. Stat. § 227.48(2), and does not constitute a conclusion or admission that any particular party or person is necessarily aggrieved or that any particular decision or order is final or judicially reviewable.

PETITION FOR REHEARING

If this decision is an order following a contested case proceeding as defined in Wis. Stat. § 227.01(3), a person aggrieved by the decision has a right to petition the Commission for rehearing within 20 days of the date of service of this decision, as provided in Wis. Stat. § 227.49. The date of service is shown on the first page. If there is no date on the first page, the date of service is shown immediately above the signature line. The petition for rehearing must be filed with the Public Service Commission of Wisconsin and served on the parties. An appeal of this decision may also be taken directly to circuit court through the filing of a petition for judicial review. It is not necessary to first petition for rehearing.

PETITION FOR JUDICIAL REVIEW

A person aggrieved by this decision has a right to petition for judicial review as provided in Wis. Stat. § 227.53. In a contested case, the petition must be filed in circuit court and served upon the Public Service Commission of Wisconsin within 30 days of the date of service of this decision if there has been no petition for rehearing. If a timely petition for rehearing has been filed, the petition for judicial review must be filed within 30 days of the date of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition of the petition for rehearing by operation of law pursuant to Wis. Stat. § 227.49(5), whichever is sooner. If an *untimely* petition for rehearing is filed, the 30-day period to petition for judicial review commences the date the Commission serves its original decision.³ The Public Service Commission of Wisconsin must be named as respondent in the petition for judicial review.

If this decision is an order denying rehearing, a person aggrieved who wishes to appeal must seek judicial review rather than rehearing. A second petition for rehearing is not permitted.

Revised: March 27, 2013

³ See *State v. Currier*, 2006 WI App 12, 288 Wis. 2d 693, 709 N.W.2d 520.

APPENDIX A

This docket proceeding is not a contested case under Wis. Stat. ch. 227, therefore there are no parties as defined in Wis. Stat. § 227.01(8), to be listed or certified under Wis. Stat. § 227.47. However, the persons listed below are defined by Wis. Admin. Code § PSC 2.02(7), (10), and (12) as parties in the docket and participated therein.

Public Service Commission of Wisconsin
(Not a party but must be served)
610 North Whitney Way
P.O. Box 7854
Madison, WI 53707-7854

MIDWEST CABLE PHONE OF WISCONSIN LLC
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