



Control Number: 39053



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DOCKET NO. 39053

JOINT APPLICATION OF TEXAS §
WINDSTREAM, INC., VALOR §
TELECOMMUNICATIONS OF §
TEXAS, LP d/b/a WINDSTREAM §
COMMUNICATIONS SOUTHWEST, §
WINDSTREAM COMMUNICATIONS §
KERRVILLE, LP, AND WINDSTREAM §
SUGAR LAND, INC., AND TIME §
WARNER CABLE INFORMATION §
SERVICES, LLC d/b/a TIME WARNER §
CABLE FOR APPROVAL OF AN §
INTERCONNECTION AGREEMENT §
UNDER PURA AND THE §
TELECOMMUNICATIONS ACT OF §
1996 §

PUBLIC UTILITY COMMISSION
OF TEXAS

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**ORDER NO. 1
ESTABLISHING PROCEDURAL SCHEDULE FOR ADMINISTRATIVE REVIEW**

On January 7, 2011, Texas Windstream, Inc., Valor Telecommunications of Texas, LP d/b/a Windstream Communications Southwest, Windstream Communications Kerrville, LP, and Windstream Sugar Land, Inc. (collectively, Windstream), and Time Warner Cable Information Services (Texas), LLC d/b/a Time Warner Cable (TWCIS) (collectively, Applicants) filed a joint application for approval of an interconnection agreement (Agreement) under the Federal Telecommunications Act of 1996¹ and the Public Utility Regulatory Act.² The joint application included a copy of the Agreement.

This proceeding will be processed in accordance with P.U.C. PROC. R. 21.97.

15-Day Deadline

The Commission shall issue a decision regarding this docket no later than January 21, 2011, unless, at any point during the review, the Commission, for good cause, determines that a formal review is necessary pursuant to P.U.C. PROC. R. 21.101(c)(2).

¹ Federal Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996) (codified in scattered sections of 15 and 47 U.S.C.) (FTA).

² Public Utility Regulatory Act, TEX. UTIL. CODE ANN. §§ 11.001-66.016 (Vernon 2007 & Supp. 2010) (PURA).

Number of Copies

The Applicants shall file three (3) copies of any filing in this case.

Sufficiency of the Application

The Commission finds that the joint application submitted by Applicants provides sufficient information to allow the Commission to properly review the interconnection agreement under the FTA.³ The Applicants have filed affidavits explaining how the Agreement is consistent with the public interest, convenience, and necessity, including all relevant requirements of State law.

TWCIS' relevant Service Provider Certificate of Operating Authority information is on file at the Commission.

Notice

The Commission finds that reasonable notice of the filing of the Agreement may be required. Accordingly, the undersigned may require Windstream to provide direct notice, or notice via electronic mail. Alternatively, web posting of the filing of this Agreement may also be used, provided that all affected persons are made aware of the website.

Comments

The Commission finds that additional public comment should be allowed before the Commission issues a final decision approving or rejecting the interconnection agreement. Any interested person may file written comments on the application by filing three (3) copies of the comments with the Commission's Filing Clerk and serving a copy of the comments on each of the Applicants, within five (5) days of the filing of the application. The comments shall include the following information:

- 1) a detailed statement of the person's interests in the agreement, including a description of how approval of the agreement may adversely affect those interests;

³ Federal Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996) (codified in scattered sections of 15 and 47 U.S.C.).

- 2) specific allegations that the agreement, or some portion thereof:
 - a) discriminates against a telecommunications carrier that is not a party to the agreement; or
 - b) is not consistent with the public interest, convenience, and necessity; or
 - c) is not consistent with other requirements of state law; and
- 3) the specific facts upon which the allegations are based.

Issuance of Approval, Denial, or Further Review of Application

Issuance of a notice of approval, denial, or further review shall be made in writing with copies to Applicants and any interested person who filed comments in the proceeding.

Subsequent Filing of Complete Interconnection Agreement

In the event the Commission approves the Agreement, Applicants shall file two (2) complete interconnection agreements, one (1) unbound, within 15 working days of the date of the Commission's decision. The copies shall be clearly marked with the control number assigned to the proceeding and the language "Complete interconnection agreement as approved [or modified and approved] on [insert date]." Also, within 15 working days of the approval of the agreement, the incumbent local exchange company (ILEC) shall post notice of the approved interconnection agreement on its website in a separate, easily identifiable area of the website. The ILEC website shall provide a complete list of approved interconnection agreements, listed alphabetically by carrier, including docket numbers and effective dates. In addition, the ILEC website shall provide a direct link to the Commission's website.

SIGNED AT AUSTIN, TEXAS on the 10th day of January 2011.

PUBLIC UTILITY COMMISSION OF TEXAS



ANDREW KANG
ADMINISTRATIVE LAW JUDGE