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**TO: GTE Southwest Incorporated d/b/a Verizon Southwest
Dulaney L. O'Roark**

**Legal Division
Infrastructure Reliability Division**

**FROM: Andrew Kang
Administrative Law Judge**

RE: Project No. 39983 – *Application of GTE Southwest, Incorporated d/b/a Verizon Southwest to Amend its State-Issued Certificate of Franchise Authority*

NOTICE OF APPROVAL

This Notice addresses the application of GTE Southwest Incorporated d/b/a Verizon Southwest (the Applicant) filed with the Public Utility Commission of Texas (Commission) on December 9, 2011, to expand its service area footprint to include the following municipalities: the municipalities of Keller, Sachse, and Wylie, Texas. Commission Staff recommended approval of the application. The application is approved.

Findings

1. The application complies with PURA¹ §§ 66.003 and 66.004 and P.U.C. SUBST. R. 28.6.
2. The Applicant is entitled to approval of this application, having submitted a sworn affidavit which complies with PURA § 66.003(b).
3. In its application, Applicant stated its agreement to provide the Commission with a written notice of termination of its SICFA.

¹ The Public Utility Regulatory Act, TEX. UTIL. CODE ANN. §§ 11.001–66.016 (Vernon 2007 & Supp. 2011) (PURA).

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4. In its application, the Applicant stated its agreement to provide the Commission a copy of any court order in which its SICFA has been revoked or modified by a court of competent jurisdiction.
5. Pursuant to PURA § 66.004(b-1), the Applicant seeks to terminate existing cable and/or cable and video franchise agreements with the municipalities of Keller, Sachse, and Wylie, which have a population of less than 215,000. The Applicant provided examples of the franchise termination notices sent to each affected municipality. Under PURA § 66.004(b-1), the municipal franchises terminate on the date the Commission issues a SICFA to the Applicant for the areas served under the terminated franchises.

Ordering Paragraphs

1. The application of GTE Southwest Incorporated d/b/a Verizon Southwest to amend its SICFA No. 90001 as requested is approved. The Applicant's SICFA is amended to expand its service area footprint to include the following municipalities: Keller, Sachse, and Wylie, Texas.
2. The name on SICFA No. 90001 shall remain GTE Southwest Incorporated d/b/a Verizon Southwest.
3. Pursuant to 47 C.F.R. § 76.952, the Commission may direct certificate holders not to include its name on their monthly billing inserts as the local franchising authority. Because the Commission does not have the same authority to consider and resolve customer complaints, as did municipal franchising authorities, the Commission directs certificate holders not to include its name, address, and telephone number on monthly bills to subscribers.
4. All other motions, requests for entry of specific findings of fact and conclusions of law, any other requests for general relief or specific relief, if not expressly granted herein, are hereby denied.

SIGNED AT AUSTIN, TEXAS the 3rd day of January 2012.

PUBLIC UTILITY COMMISSION OF TEXAS



ANDREW KANG
ADMINISTRATIVE LAW JUDGE