

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: Thomas E. Wright, Chairman
 Michael C. Moffet
 Joseph F. Harkins

In the Matter of the Application WTC)
Communications Inc. Filing for Kansas Video) Docket No. 08-WCMC-963-VSA
Service Authorization.) TELECOM-VSA

ORDER GRANTING APPLICATION FOR STATEWIDE VIDEO SERVICE AUTHORIZATION

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

1. On April 21, 2008, WTC Communications Inc. (WTC) filed an application for statewide video service authorization pursuant to K.S.A. 2007 Supp. 12-2006 through 12-2026 and K.A.R. 82-15-1. WTC amended its application on May 27, 2008, and again on June 6, 2008, correcting minor application omissions.

2. Commission Staff (Staff) reviewed the amended application and on June 9, 2008, submitted a Memorandum to the Commission recommending approval of the application.

3. According to Staff's Memorandum, WTC identified its principal place of business and its senior management responsible for cable television matters. In addition, WTC provided telephone numbers and e-mail addresses for trouble reporting and technical support matters.

4. WTC is registered with the Kansas Secretary of State's office as a not for profit corporation and is currently "active and in good standing" with the Secretary's office.

5. WTC requested video service authorization in the following areas, generally located in the northeast part of Kansas: St. George, Paxico, Wamego, and St. Marys. Staff

reported that the Community Unit Identification (CUID) numbers assigned by the Federal Communications Commission (FCC) were provided by WTC. Staff verified the CUID numbers on the FCC Media Bureau website.

6. Staff noted that WTC provided an electronic version of the legal descriptions of its proposed service areas, compatible with the Commission's mapping system. For ease of future reference, Staff identifies the proposed service area footprints as:

- St. GeorgeSTGE-01-WCMC-01
- Paxico.....PAXI-02-WCMC-02
- WamegoWAME-03-WCMC-03
- St. MarysSTMA-04-WCMC-04

WTC committed to provide service throughout the service areas within five years.

7. WTC's system would utilize a satellite receiver arrangement with an *off-the-air* terrestrial arrangement (for local programming) at a central, or head-end, location. Signals would be combined at the head-end and transported to the customer's location via a coaxial trunking network.

8. Staff noted that WTC agreed to comply with all applicable federal and state statutes and regulations, along with all lawful and applicable municipal regulations regarding the use and occupation of public rights-of-way in the delivery of its video services. WTC also agreed that it would not deny access to service to any group of potential residential subscribers due to the income of residents in the local area in which such group resides.

9. Staff concluded WTC's application is complete and conforms to K.S.A. 2007 Supp. 12-2023 and K.A.R. 82-15-1. Staff recommended that the Commission approve WTC's application.

10. The Commission has reviewed Staff's Memorandum, found it reasonable, and agreed with Staff that the application should be approved. The Commission grants WTC's application for statewide video service authorization.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The application of WTC Communications Inc. for statewide video service authorization is approved with the service area footprints to be identified as STGE-01-WCMC-01, PAXI-02-WCMC-02, WAME-03-WCMC-03, and STMA-04-WCMC-04.

B. The parties have fifteen days from the date of service of this Order in which they may request reconsideration by the Commission of any final matter determined herein. If this Order is mailed, service is complete upon mailing and the parties may add three days to the fifteen-day period. All petitions for reconsideration shall be served upon the Commission's executive director. K.S.A. 66-118; K.S.A. 2007 Supp. 77-529.

C. The Commission retains jurisdiction over the subject matter and the parties in this docket for issuing additional orders, as it deems necessary.

BY THE COMMISSION, IT IS SO ORDERED.

Wright, Chmn.; Moffet, Com.; Harkins, Com.

Dated: JUN 24 2008

ORDERED MAILED

JUN 24 2008



**EXECUTIVE
DIRECTOR**

Susan K. Duffy
Executive Director

RLL:dlm