

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

Before Commissioners: Shari Feist Albrecht, Chair
Jay Scott Emler
Dwight D. Keen

In the Matter of the Application of)	Docket No.
Windstream Nebraska, Inc. for Modification)	18-WMNT-415-CXB
of its Exchange Boundary.)	

**ORDER GRANTING APPLICATION TO CEASE TRANSACTING
THE BUSINESS OF A TELEPHONE PUBLIC UTILITY**

NOW, the above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas (Commission). The Commission, after giving due consideration to the Application and being fully advised in the premises, finds that:

1. The Application of Windstream Nebraska, Inc. in the above-captioned docket was filed with this Commission on March 16, 2018. A public hearing was not held on the instant Application.

2. The Commission's authority to supervise telecommunications public utilities derives from K.S.A. 2017 Supp. 66-1,188. The Commission's authority to certificate and de-certificate public utilities derives from K.S.A. 2017 Supp. 66-131. Pursuant to K.S.A. 2017 Supp. 66-131, the Commission must review all certification and de-certification applications to determine whether the public convenience will be promoted by granting the request.

3. Windstream Nebraska, Inc. (Windstream) requests permission to cease transacting the business of a telephone public utility in the following described territory:

Territory to be transferred to Blue Valley Tele-Communications, Inc.'s Oketo exchange from Windstream Nebraska, Inc. Liberty exchange:

Beginning at a point ¼ mile south of the Kansas-Nebraska State Line and ½ mile east of the NW corner of Section 2, T1S, R8E, Marshall County, Kansas; thence

north $\frac{3}{4}$ mile; thence west $\frac{1}{2}$ mile; thence south $\frac{3}{4}$ mile, thence east $\frac{1}{2}$ mile to the point of beginning.

Territory to be transferred to Blue Valley Tele-Communications, Inc.'s Oketo exchange from Windstream Nebraska, Inc. Barneston exchange:

Beginning at a point $\frac{1}{4}$ mile south of the Kansas-Nebraska State Line and $\frac{1}{2}$ mile east of the NW corner of Section 4, T1S, R7E, Marshall County, Kansas; thence north $\frac{1}{4}$ mile; thence west $\frac{1}{4}$ mile; thence south $\frac{1}{4}$ mile, thence east $\frac{1}{4}$ mile to the point of beginning.

4. Previously, on January 25, 2018, Blue Valley Tele-Communications, Inc. (Blue Valley) made a companion filing in Docket No. 18-BLVT-322-CXB requesting to transact the business of a telephone public utility in the territory described in paragraph 3 above.

5. Windstream, in its March 16, 2018 Application filing, consented to the transfer of the territory described in paragraph 3 above to Blue Valley. In response to a May 8, 2018 Information Request served upon Windstream by the Commission Staff and filed in the above-captioned Docket on May 22, 2018, Windstream again concurred in its agreement to transfer the territory described in paragraph 3 above to Blue Valley for inclusion in Blue Valley's Oketo exchange.

6. The Commission finds that public convenience will be promoted by granting the instant Application authorizing Windstream to cease transacting the business of a telephone public utility in the territory described in paragraph 3 above.

IT IS THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Application filed by Windstream Nebraska, Inc. on March 16, 2018 is hereby granted and Windstream is authorized to cease transacting the business of a telephone public utility in the territory described in paragraph 3 above.

B. Any party may file and serve a petition for reconsideration pursuant to the

requirements and time limits established by K.S.A. 77-529(a)(1).¹

C. The Commission retains jurisdiction over Windstream Nebraska, Inc. and the subject matter of this Docket for the purpose of entering such further Order or Orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Dated: 06/07/2018

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner.



Lynn M. Retz
Secretary to the Commission

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¹ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

18-WMNT-415-CXB

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on 06/08/2018.

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/S/ DeeAnn Shupe

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