

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

In the Matter of the Application of Cox Kansas)
Telecom, LLC to Expand Its Service Area and for)
Designation as an Eligible Telecommunications) Docket No. 15-COXT-396-ETC
Carrier in Certain Rural Territories in the State of)
Kansas.)

**RESPONSE OF COX KANSAS TELCOM, LLC TO MOTION OF WAMEGO
TELECOMMUNICATIONS COMPANY, INC. REGARDING INTERCONNECTION**

COME NOW Cox Kansas Telecom, LLC ("Cox"), by and through its undersigned counsel, and submits its Response to the May 8, 2015 Motion of Wamego Telecommunications Company, Inc. for Determination of Sufficiency of Cox's Request for Negotiation for Interconnection ("Interconnection Motion"). For its Response, Cox states as follows:

1. In order for an applicant to receive a certificate of convenience and necessity to serve as a competitive provider in a rural area in Kansas, the applicant must demonstrate that it meets the Rural Entry Guideline requirements established by the Commission in Docket No. 94-GIMT-478-GIT (Dec. 27, 1996). Two of the Rural Entry Guidelines are for an applicant to make a bona fide request to the incumbent local exchange carrier ("ILEC") for interconnection services or network elements, and provide notice of the bona fide request to the Commission.

2. Initially, Cox made a bona fide request ("BFR") for interconnection with Wamego Telecommunications Company, Inc. ("Wamego") on May 8, 2013. As stated in paragraphs 13 and 47 of Cox's March 10, 2015 Application in this docket, Wamego indicated it would not proceed with negotiations until Cox's application for Certificate expansion was granted by the Commission. (A copy of Cox's 2013 BFR is attached hereto as Exhibit A (w/o enclosures).) On or about April 16, 2015, Cox made a second BFR for interconnection with

Wamego to coincide with the filing of the instant Application. (A copy of Cox's April 2015 BFR is attached hereto as Exhibit B (w/o enclosures).)

4. In Wamego's Interconnection Motion, Wamego claims it is premature to require Wamego to develop an interconnection agreement with Cox until Cox has been granted certification to provide the service for which the interconnection is intended. Interconnection Motion at 3.

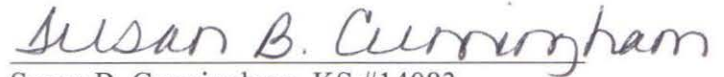
5. Cox asserts it was required to seek interconnection with Wamego in order to satisfy the Rural Entry Guidelines, which are a prerequisite to certificate approval. In fact, citing to the Rural Entry Guidelines requirements, Staff inquired as to whether Cox had made a BFR for interconnection with Wamego in its Information Request No. 18 to Cox. (A copy of Staff's IR No. 18 to Cox and Cox's response is attached hereto as Exhibit C.)

6. Wamego's request to halt, or at least stall, negotiations for an interconnection agreement is based on circular, "chicken-and-egg" reasoning and ignores the requirements of the Rural Entry Guidelines. As such, Wamego's argument can only be viewed as obstructive and anti-competitive.

7. Cox is aware of Staff's position that Cox was not required to make a bona fide request for interconnection with Wamego because Wamego provided video programming after February 8, 1996, as referenced under 47 U.S.C. 251(f)(1)(C). However, out of an abundance of caution, Cox made a bona fide request for interconnection with Wamego in order to comply with the Commission's Rural Entry Guidelines. Cox agrees that Wamego has no rural exemption from its interconnection obligations and therefore no BFR is required to initiate a proceeding to terminate the exemption. Further, there also is no need to arbitrarily put on hold the process for negotiating an interconnection agreement between Wamego and Cox.

WHEREFORE, Cox requests that the Commission deny Wamego's request for a determination regarding whether Wamego is obligated to negotiate interconnection with Cox.

Respectfully submitted,



Susan B. Cunningham, KS #14083

DENTONS US LLP

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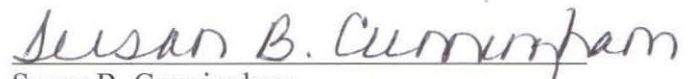
Email: susan.cunningham@dentons.com

Attorney for Cox Kansas Telcom, LLC

VERIFICATION
(K.S.A. 53-601)

STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

I, Susan B. Cunningham, verify under penalty of perjury that I have caused the foregoing Response of Cox Kansas Telcom, LLC to Motion of Wamego Telecommunications Company, Inc. Regarding Interconnection to be prepared and that the contents thereof are true and correct to the best of my knowledge, information and belief.


Susan B. Cunningham

Executed on May 18, 2015

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Response of Cox Kansas Telcom, LLC to Motion of Wamego Telecommunications Company, Inc. Regarding Interconnection was served electronically this 18th day of May, 2015, to the parties appearing on the Commission's service list as last modified on March 31, 2015.

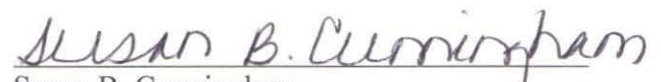

Susan B. Cunningham

EXHIBIT A

DOCKET NO. 15-COXT-396-ETC

Theresa Cabral
Regional Vice President
Regulatory Affairs
Interconnection
Cox Communications Inc.
3732 Mt. Diablo Blvd., Suite 358
Lafayette, CA 94549



By US Mail

May 8, 2013

Steve Sackrider, President
Wamego Telecommunications, Inc.
1009 Lincoln Ave.
Wamego, KS 66547

Re: Interconnection Agreement

Dear Mr. Sackrider,

I am writing on behalf of Cox Kansas Telcom, LLC ("Cox") to request negotiations to develop an interconnection agreement between Cox and Wamego Telecommunications, Inc. ("Wamego"). As lead negotiator for Cox, I will be working with Wamego to develop our agreement. If you would prefer to include legal representation in our discussions, I can arrange for our counsel to join us.

For your review and consideration, I have enclosed a reciprocal non-disclosure agreement and a draft interconnection agreement from which we may start our negotiations. If you have other documents that can be used for these purposes, I would be happy to review them. I would ask that you send them to me at the above address, or electronically, within the next couple of weeks. I would like to begin direct negotiations no later than the end of May.

I am hopeful that our efforts will produce an agreement that is mutually beneficial. Please contact me at your earliest convenience in order to begin negotiations at (925) 310-4493 or via email at Theresa.Cabral@cox.com.

Very truly yours,

A handwritten signature in dark ink that reads "Theresa L. Cabral". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Enclosures

cc: Curt Stamp, Cox Oklahoma Telcom, email

EXHIBIT B

DOCKET NO. 15-COXT-396-ETC

Theresa Cabral
Deputy Assistant General
Counsel
Cox Communications Inc
3732 Mt. Diablo Blvd., Suite
358
Lafayette, CA 94549



By US Mail and Email

April 15, 2015

Steve Sackrider, President
Wamego Telecommunications, Inc.
1009 Lincoln Ave.
Wamego, KS 66547

Re: Interconnection Agreement

Dear Mr. Sackrider,

I am writing on behalf of Cox Kansas Telcom, LLC ("Cox") to request negotiations to develop an interconnection agreement between Cox and Wamego Telecommunications, Inc. ("Wamego"). As lead negotiator for Cox, I will be working with Wamego to develop our agreement.

For your review and consideration, I have enclosed a reciprocal non-disclosure agreement and a draft interconnection agreement from which we may start our negotiations. If you have other documents that can be used for these purposes, I would be happy to review them. I would ask that you send them to me at the above address, or electronically, within the next couple of weeks.

I am hopeful that our efforts will produce an agreement that is mutually beneficial. Please contact me at your earliest convenience in order to begin negotiations at (925) 310-4493 or via email at Theresa.Cabral@cox.com.

Sincerely,

A handwritten signature in black ink that reads "Theresa L. Cabral". The signature is written in a cursive, flowing style.

Enclosures

cc: Rob Logsdon, Director, Cox Regulatory

EXHIBIT C

DOCKET NO. 15-COXT-396-ETC

Kansas Corporation Commission Information Request

Request No: 18

Company Name COX KANSAS TELCOM, L.L.C. COXT
Docket Number 15-COXT-396-ETC
Request Date April 6, 2015
Date Information Needed April 15, 2015

RE: Cox Kansas ETC Expansion - Docket No. 15-COXT-396-ETC

Please Provide the Following:

7: Two of the Rural Entry Guideline requirements are for the Applicant to make a bona fide request to the ILEC for interconnection services or network elements, and provide notice of the bona fide request to the Commission. Has Cox Kansas made a bona fide request for interconnection? If yes, please provide verification of Cox's bona fide request that was made. (Reference paragraphs [13], [47](3) and [47](4) of the Application)

Submitted By H. Baumhardt

Submitted To S. Cunningham

Response: Cox made a bona fide request ("BFR") for interconnection with WTC on May 8, 2013. As stated in paragraphs 13 and 47 of the Application, WTC indicated it would not proceed with negotiations until Cox's application for Certificate expansion was granted by the Commission. A copy of Cox's 2013 BFR is attached hereto as Exhibit B (w/o enclosures). Concurrent with this response, Cox is submitting a second BFR to WTC, attached as Exhibit C (w/o enclosures).

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

Verification of Response

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed:

Rob Logsdon

Date:

4/15/15