

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

JUL 01 2008

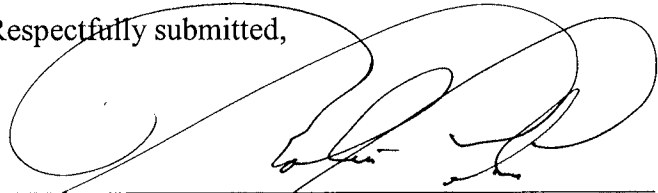
 Docket
Room

In the Matter of the General Investigation of)
the Application of Southwestern Bell) Docket No. 07-SWBT-355-VSA
Telephone Company, Filing for Kansas)
Video Service Authorization.)

NOTICE OF FILING OF REPORT AND RECOMMENDATION

COMES NOW the Staff of the State Corporation Commission of the State of Kansas
(Staff and Commission, respectively) and submits the attached Staff Report and
Recommendation in Docket Nos. 07-SWBT-355-VSA for Commission consideration.

Respectfully submitted,



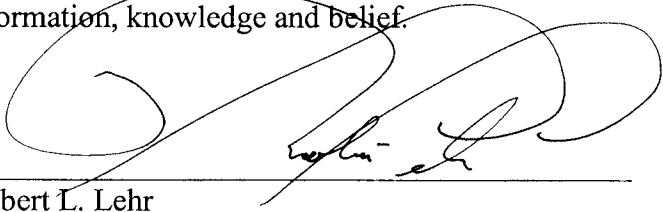
Robert L. Lehr, # 9997
Litigation Counsel
1500 S.W. Arrowhead Road
Topeka, KS 66604
(785) 271-3240 phone
(785) 271-3167 fax

VERIFICATION

STATE OF KANSAS)
) SS:
COUNTY OF SHAWNEE)

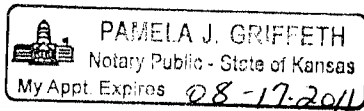
Robert L. Lehr, of lawful age, being first duly sworn upon oath states:

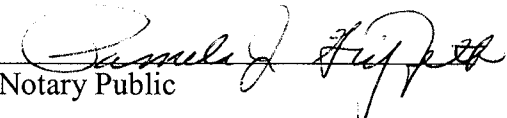
That he is the attorney for the Corporation Commission Staff in this matter; that he has read and is familiar with the attached Report and Recommendation and that the statements made therein are true and correct to the best of his information, knowledge and belief.



Robert L. Lehr

Subscribed and sworn to before me this 1st day of July, 2008.





Notary Public

My appointment expires: *August 17, 2011*

**MEMORANDUM
UTILITIES DIVISION**

TO: Thomas E. Wright, Chairman
Joe F. Harkins, Commissioner
Michael C. Moffet, Commissioner

STATE CORPORATION COMMISSION

FROM: Guy McDonald, Senior Telecommunications Analyst

JUL 01 2008

DATE: June 27, 2008

 Docket
Room

DATE SUBMITTED TO LEGAL: JUN 30 2008

DATE SUBMITTED TO COMMISSIONERS:

SUBJECT: In the Matter of the Application of Southwestern Bell Telephone Company, Filing for Kansas Video Service Authorization.
Docket No. 07-SWBT-355-VSA

BACKGROUND:

On June 19, 2008, Southwestern Bell Telephone Company, d/b/a AT&T Kansas, filed an Amended application for statewide Video Service Authorization, as authorized by K.S.A. 12-2023 and K.A.R. 85-15-1.

The applicant has previously been granted video service authorizations (Orders dated October 25, 2006 and dated September 12, 2007 in this Docket) predominately in the Leavenworth and Johnson county areas.

Commission action in this matter is required not later than **Monday, July 21, 2008**.

ANALYSIS:

The applicant has previously identified its principal place of business as 220 E. 6th Street, Topeka, Kansas, and the company's principal officers as;

Mr. Daniel Jacobsen, President – Kansas,

Mr. Jose M. Gutierrez, President & CEO,

Mr. Alfred G. Richter, Jr., Senior Vice President-General Counsel and Secretary and

Mr. Jonathan P. Klug, Senior Vice President-Treasurer.

In addition, the applicant has identified their key personnel contacts for regulatory and complaint matters.

The applicant is registered with the Kansas Secretary of State's office as a Foreign Limited Partnership and is currently (a/o 6-23-2008) 'Active and in Good Standing' with that office.

The applicant is not registered with the FCC as a Cable System Operator. They have previously¹ stated that "AT&T has not filed with the Federal Communications Commission a 'Cable Community Registration form 322' or been assigned any 'Community Unit Identification Number (CUID)' as these items are described in federal regulations, 47 C.F.R. 76.1801. This regulation

ANALYSIS: (Continued)

Docket No. 06-SWBT-355-VSA

applies only to a 'cable operator' operating a 'cable system' as defined at 47 C.F.R. 76.5, and does not apply to AT&T's IPTV, Homezone, or satellite video programming offerings." Staff agrees.

By initialing, the applicant has previously agreed¹ to comply with all applicable federal and state statutes and regulations; and agrees to comply with all lawful and applicable municipal regulations regarding the use and occupation of public rights-of-way in the delivery of video services, including the police powers of the municipalities in which the service is delivered. (Initial Application item #5.)

The applicant is proposing four additional service areas to include the Greater Wichita Area, the Greater Topeka Area and Lawrence, as more precisely described in the attached. An electronic version of this description is included with the application in a format compatible with the commission's mapping system.

The applicant has previously provided¹ drawings and a general description of the technologies to be used in providing their video service. The technologies include fiber to the home, a combination of satellite and DSL service and an integrated satellite service. Utilizing any combination of these services the applicant states that they will pass 100% of the households within their proposed footprint within the required five year deployment window.

By initialing, the applicant has previously¹ agreed that it will not deny access to service to any group of potential residential subscribers because of the income of residents in the local area in which such group resides. (Initial Application last item.)

Staff has reviewed the applicant's amended application and has found it to be complete and in conformity with K.S.A. 12-2023 and K.A.R. 82-15-1.

RECOMMENDATION:

Staff recommends commission approval of AT&T's application for its additional service area footprints to be identified² and known as follows; Wichita, WTCH-02-SWBT-01, Topeka, TPKA-03-SWBT-01, Lawrence, LWRN-04-SWBT-01, Manhattan, MNHT-05-SWBT-01.

cc: Don Low
Janet Buchanan

Tom Stratton
Bob Lehr

Susan Duffy
Patricia Shurtz

¹ Applicant's initial filing in this Docket, dated 10-9-2006.

² For ease of future referencing, staff assigns a four field footprint number using the following convention: ABCD-xx-EFGH-yy, where ABCD is the four character abbreviation of the major city encompassed by the service area, xx is a two digit sequentially assigned number of the provider's service areas, EFGH is the four alpha character company code and yy indicating the version of the company's footprint where 01 is the initial version, 02 the first revision, etc.

Metes and Bounds description of the
Greater Wichita Area Video Footprint

Beginning at a point 1/4 mile south and 1/4 mile west of the northeast corner of Section 33, T22S, R3E, Marion County, Kansas; thence south 1 1/4 miles to a point 1/4 mile west and 1/2 mile north of the southeast corner of Section 4, T23S, R3E, Butler County, Kansas; thence east 3 1/2 miles; thence south 3/4 mile; thence east 7/8 mile; thence south 1 1/2 miles; thence west 1 3/8 miles; thence south 1/2 mile; thence west 1/2 mile; thence south 1/2 mile; thence west 1/2 mile; thence south 1 mile; thence east 1/2 mile; thence south 2 3/4 miles; thence west 3/4 mile; thence south 4 miles; thence west 1 mile; thence south 4 miles; thence east 1/4 mile; thence south 5/8 mile; thence east 1 1/8 miles; thence south 1 1/8 miles; thence east 3/4 mile; thence south 3/4 mile to a point 3/8 mile west of the southeast corner of Section 36, T25S, R3E; thence to a point 1/4 mile west of the northeast corner of Section 1, T26S, R3E; thence south 4 1/6 miles; thence east 3/16 mile; thence south 3/16 mile; thence east 5/16 mile; thence south approximately 1 1/4 miles to the Kansas Turnpike; thence along said Turnpike in a northeasterly direction to a point 1/2 mile south of the north side of Section 23, T26S, R4E; thence east approximately 2 1/2 miles to a point 1/2 mile south and 1/4 mile west of the northeast corner of Section 19, T26S, R5E; thence south 2 miles; then east 1/4 mile; thence south 1/2 mile; thence west 1/4 mile; thence south 1/2 mile; thence east approximately 1 mile to the Walnut River; thence along said River in a southerly direction to a point 1/2 mile south of the north side of Section 8, T27S, R5E; thence east approximately 2 1/2 miles to the center of Section 11, T27S, R5E; thence south 3 3/4 miles; thence east 1 1/4 miles; thence south 1 1/4 miles; thence west 1 mile; thence south 2 miles; thence east 1 3/4 miles; thence south 3 3/4 miles; thence west 5 1/4 miles to a point 1/4 mile south and 1/4 mile east of the northwest corner of Section 5, T29S, R5E; thence north 3/4 mile; thence west 6 3/4 miles; thence south 1/4 mile; thence west 1 mile; thence south 3/4 mile; thence west 1 1/4 miles; thence south 1 mile; thence west 1/2 mile; thence south 1 1/4 mile; thence west 1/2 mile; thence south 1 mile; thence west 1/2 mile; thence south approximately 1 5/8 miles to Polecat Creek; thence in a southeasterly direction along said creek to a point 1/4 mile south and 1/2 mile west of the northeast corner of Section 3, T30S, R3E, Cowley County, Kansas; thence south 1/4 mile; thence west 3/4 mile; thence south 1 mile; thence west 1 1/4 miles; thence south 1 mile; thence west 1 mile; thence south 3/4 mile; thence west 2 miles to a point 1/4 mile south and 1/2 mile west of the northeast corner of Section 23, T30S, R2E, Sumner County, Kansas; thence south 1 1/4 miles; thence west approximately 1 mile to the center of the Arkansas River; thence in a northwesterly direction along said River to a point 1/2 mile north of the south side of Section 18, T30S, R2E; thence west approximately 5 7/8 miles to a point 1/2 mile north and 1/8 mile east of the southwest corner of Section 17, T30S, R1E; thence south 2 miles; thence west 7/8 mile; thence south 1 mile to a point 1/2 mile south and 1/4 mile east of the northwest corner of Section 31,

Metes and Bounds description of the
Greater Wichita Area Video Footprint (Continued)

T30S, R1E; thence west 1 mile; thence north $\frac{3}{4}$ mile; thence west $1\frac{1}{2}$ miles; thence north $1\frac{1}{2}$ miles; thence west $2\frac{1}{4}$ miles; thence north $4\frac{3}{4}$ miles to the center of Section 29, T29S7 R1W, Sedgwick County, Kansas; thence east 3 miles; thence north $1\frac{1}{2}$ miles; thence east $\frac{1}{4}$ mile; thence north $\frac{1}{2}$ mile; thence west $\frac{1}{4}$ mile; thence north $2\frac{1}{2}$ miles; thence west 2 miles; thence north 1 mile to the center of Section 33, T28S, R1W; thence west 1 mile; thence north 2 miles; thence west $\frac{1}{4}$ mile; thence north $\frac{3}{4}$ mile; thence west $\frac{3}{4}$ mile; thence north $\frac{1}{4}$ mile; thence west 2 miles; thence south 1 mile; thence west 3 miles to the center of Section 20, T28S, R2W; thence south 2 miles; thence west 3 miles; thence north $1\frac{3}{4}$ miles; thence west $\frac{3}{4}$ mile; thence north $1\frac{1}{4}$ miles; thence west $1\frac{1}{4}$ miles to the center of Section 16, T28S, R3W; thence north $1\frac{3}{4}$ miles; thence east $1\frac{1}{4}$ miles; thence north $1\frac{1}{4}$ miles; thence west $\frac{1}{4}$ mile; thence north 5 miles to the center of Section 3, T27S, R3W; thence east 1 mile; thence south $\frac{1}{2}$ mile; thence east $\frac{1}{2}$ mile; thence north 814 feet; thence east $\frac{1}{4}$ mile; thence north 4 miles and 1826 feet to the center of the Missouri-Pacific Railroad Tracks; thence east along said tracks $11\frac{1}{2}$ miles; thence north approximately $2\frac{1}{2}$ miles to a point $\frac{1}{4}$ mile west of the northeast corner of Section 6, T26S, R2W; thence east to a point $\frac{1}{8}$ mile west of the southeast corner of Section 31, T25S, R25W; thence north $\frac{1}{2}$ mile; thence west $\frac{3}{4}$ mile; thence north approximately $2\frac{1}{4}$ miles to the center of the Arkansas River; thence along said River in a northwesterly direction to a point $\frac{1}{2}$ mile west and $\frac{1}{2}$ mile north of the southeast corner of Section 13, T25S, R3W; thence north approximately $2\frac{1}{4}$ miles to the center of Section 1, T25S, R3W; thence west 1 mile; thence north 1 mile to the center of Section 35, T24S, R3W, Harvey County, Kansas; thence east $\frac{3}{4}$ mile; thence north 1 mile; thence east $1\frac{1}{2}$ miles; thence south $\frac{3}{4}$ mile; thence east $4\frac{1}{8}$ miles; thence north $\frac{3}{4}$ mile; thence east $1\frac{5}{8}$ miles; thence north 3 miles; thence east 2 miles; thence north $\frac{5}{8}$ mile; thence east $\frac{5}{8}$ mile; thence south $\frac{3}{8}$ mile; thence east $2\frac{3}{8}$ miles; thence south $1\frac{1}{2}$ miles; thence east 1 mile; thence south $1\frac{3}{4}$ miles; thence east $2\frac{3}{4}$ miles; thence south $\frac{3}{4}$ mile; thence east $3\frac{1}{4}$ miles; thence north $\frac{3}{4}$ mile; thence east $\frac{1}{8}$ mile; thence north $1\frac{1}{4}$ miles; thence east $1\frac{1}{8}$ miles; thence north 3 miles; thence east $11\frac{1}{2}$ miles; thence north 1 mile; thence east $\frac{1}{4}$ mile; thence north $11\frac{1}{2}$ miles; thence east $\frac{1}{4}$ mile; thence north $11\frac{1}{4}$ miles; thence west $\frac{1}{2}$ mile; thence north 1 mile; thence east $\frac{1}{4}$ mile; thence north $1\frac{3}{4}$ miles; thence east $3\frac{3}{4}$ miles to a point $\frac{1}{4}$ mile east and $\frac{1}{4}$ mile north of the southwest corner of Section 32, T22S, R3E, Marion County, Kansas; thence north $\frac{1}{2}$ mile; thence east $1\frac{1}{2}$ miles to the point of beginning.

Metes and Bounds description of the
Greater Topeka Area Video Footprint

Beginning at a point $\frac{1}{2}$ mile north and $\frac{7}{16}$ mile east of the southwest corner of Section 25, T1 OS, R17E, Jefferson County, Kansas; thence south $1\frac{1}{2}$ miles; thence to a point $\frac{3}{8}$ mile west of the northeast corner of Section 1, T11S, R17E; thence south approximately $4\frac{3}{4}$ miles to the Kansas River; thence in an easterly direction along said river to a point on the Jefferson County-Douglas County, Kansas line $\frac{1}{16}$ mile west of the east side of Section 5, T12S, R19E; thence south approximately $\frac{1}{2}$ mile to a point $\frac{1}{16}$ mile west and $\frac{1}{4}$ mile south of the northeast corner of Section 8, T12S, R19E, Douglas County, Kansas; thence west $\frac{15}{16}$ mile; thence south 1 mile; thence west $\frac{1}{2}$ mile; thence south approximately 1 mile to the center line of Interstate Highway 70 (Kansas Turnpike); thence in a northwesterly direction along said highway approximately $1\frac{9}{16}$ miles to a point $\frac{3}{16}$ mile south and $\frac{1}{16}$ mile west of the northeast corner of Section 23, T12S, R18E; thence south $\frac{7}{8}$ mile; thence west $\frac{13}{16}$ mile; thence south $\frac{1}{3}$ miles to a point $\frac{1}{8}$ mile east and $\frac{1}{4}$ mile south of the northwest corner of Section 35, T1 2S, R18E; thence west approximately $\frac{1}{4}$ mile to the center of Coon Creek; thence in a southeasterly direction approximately $\frac{1}{4}$ mile to a point $\frac{3}{8}$ mile west of the east boundary of Section 34, T12S, R18E; thence south approximately $2\frac{1}{2}$ miles to a point $\frac{3}{8}$ mile west of the southeast corner of Section 10, T1 3S, R1 8E; thence west $1\frac{1}{8}$ miles; thence south $1\frac{1}{2}$ miles; thence west 1 mile; thence south 1 mile; thence west $2\frac{1}{4}$ miles; thence south $1\frac{1}{4}$ miles; thence east $1\frac{1}{4}$ miles; thence south $1\frac{1}{8}$ miles; thence east $1\frac{1}{4}$ miles; thence south $1\frac{7}{8}$ miles; thence west $1\frac{1}{2}$ miles; thence north $\frac{3}{4}$ mile; thence west $\frac{3}{4}$ mile; thence north $\frac{1}{2}$ mile; thence west 3 miles to the center of Section 9, T14S, R17E, Osage County, Kansas; thence north $\frac{1}{4}$ mile; thence west 2 miles; thence south $\frac{3}{4}$ mile; thence west $1\frac{1}{2}$ miles; thence south $\frac{1}{2}$ mile; thence west $1\frac{1}{2}$ miles; thence south 2 miles to the center of Section 27, T14S, R16E; thence west $1\frac{1}{4}$ miles; thence south $1\frac{1}{4}$ miles; thence west $1\frac{3}{4}$ miles; thence south $\frac{1}{8}$ mile; thence west $1\frac{3}{8}$ miles; thence north $\frac{3}{8}$ mile; thence west $\frac{3}{8}$ mile; thence north $\frac{3}{4}$ mile; thence west $\frac{1}{2}$ mile; thence north $\frac{5}{8}$ mile; thence west $1\frac{1}{8}$ miles; thence north $\frac{5}{8}$ mile; thence west 1 mile; thence north 1 mile; thence west 4 miles; thence north 2 miles; thence west $2\frac{3}{8}$ miles; thence north 1 mile to a point $\frac{1}{2}$ mile south and $\frac{1}{4}$ mile west of the northeast corner of Section 32, T13S, R14E, Shawnee County, Kansas; thence west $2\frac{1}{4}$ miles; thence south $\frac{1}{4}$ mile; thence west 1 mile; thence north 2 miles; thence west 3 miles to a point $\frac{1}{4}$ mile north and $\frac{1}{2}$ mile west of the southeast corner of Section 20, T13S, R13E, Wabaunsee County, Kansas; thence south 1 mile; thence west $3\frac{1}{4}$ miles; thence north 4 miles to a point $\frac{1}{4}$ mile north and $\frac{1}{4}$ mile east of the southwest corner of Section 2, T13S, R12E; thence west 2 miles; thence south 2 miles; thence west $4\frac{1}{4}$ miles; thence north $2\frac{3}{4}$ miles; thence east $\frac{3}{4}$ mile; thence north $2\frac{1}{8}$ miles to a point $\frac{1}{8}$ mile north and $\frac{1}{4}$ mile west of the southeast corner of Section 23, T12S, R1 1E; thence east $4\frac{1}{8}$ miles; thence north $1\frac{7}{8}$ miles; thence east $1\frac{1}{8}$ miles; thence north 1 mile;

Metes and Bounds description of the
Greater Topeka Area Video Footprint (Continued)

thence west 1/2 mile; thence north 1/2 mile; thence east 1/2 mile; thence north 2 miles; thence west 1/2 mile; thence north 1/2 mile; thence west 1/2 mile to the southwest corner of Section 22, T11S, R12E; thence north 3/4 mile; thence west 3/4 mile; thence north 2 5/16 mile; thence east 2 1/2 miles; thence north approximately 3/4 mile to the Kansas River; thence along said river in a southeasterly direction to a point 1/2 mile east of the west side of Section 25, T11S, R14E, Shawnee County, Kansas; thence north approximately 1/2 mile to a point 1/4 mile south and 1/2 mile east of the northwest corner of Section 25, T11S, R14E; thence west 2,140 feet; thence north 1/2 mile; thence east 1 mile plus 820 feet; thence north 1 mile; thence east 1 mile; thence north 1 mile; thence east 1/4 mile; thence north 1 5/8 miles; thence east approximately 1/4 mile to a point 1/2 mile west and 1/8 mile south of the southeast corner of Section 32, T10S, R15E; thence north 1 5/8 miles; thence west 1/4 mile; thence north 1 5/8 miles; thence west 3/4 mile; thence north 3 miles to a point 1/8 mile north and 1/2 mile west of the southeast corner of Section 31, T9S, R15E, Jackson County, Kansas; thence east 1/2 mile; thence south 1/8 mile; thence east along the Jackson County-Shawnee County, Kansas line 6 1/4 miles to a point 3/4 mile west of the northeast corner of Section 5, T10S, R16E, Shawnee County, Kansas; thence south 1 3/4 miles; thence east 2 7/8 miles; thence south 1 mile; thence east 1/2 mile; thence south 3 1/8 miles; thence east 2 1/4 miles to a point 1/8 mile north and 1/8 mile west of the southeast corner of Section 31, T10S, R17E, Jefferson County, Kansas; thence north 3/4 mile; thence east 1 1/4 miles; thence north 1/4 mile; thence east 1 7/8 miles; thence north 3/8 mile; thence east 1 7/16 miles to the point of beginning.

Metes and Bounds description of the
Greater Lawrence Area Video Footprint

Beginning at a point $\frac{1}{8}$ mile west and $\frac{1}{4}$ mile north of the southeast corner of Section 4, T11S, R20E, Jefferson County, Kansas; thence south $3\frac{7}{8}$ miles to a point $\frac{1}{8}$ mile west and $\frac{3}{8}$ mile north of the southeast corner of Section 28, T11S, R20E; thence east $1\frac{5}{8}$ miles; thence south $\frac{7}{16}$ mile; thence east $\frac{3}{4}$ mile; thence south $1\frac{1}{16}$ mile; thence east $\frac{1}{2}$ mile; thence south $\frac{1}{2}$ mile; thence east 1 mile; thence south 2 miles; thence west 1 mile; thence south 1 mile; thence east $\frac{1}{2}$ mile; thence south 1 mile; thence west $\frac{1}{2}$ mile; thence south 2 miles; thence west 1 mile; thence south approximately $1\frac{3}{4}$ miles to the center of Wakarusa River in Section 14, T13S, R20E, Douglas County, Kansas; thence along said river in a southwesterly direction to the east boundary of Section 15, T13S, R20E; thence south approximately $\frac{3}{4}$ mile to a point $\frac{1}{4}$ mile north of the southeast corner of Section 22, T13S, R20E; thence east $\frac{7}{8}$ mile; thence south 2 miles; thence west approximately $2\frac{1}{8}$ miles to the center of the A.T.&S.F. railroad tracks; thence along said railroad tracks in a southeasterly direction to a point $\frac{1}{8}$ mile north of the south side of Section 33, T13S, R20E; thence west approximately $\frac{1}{2}$ mile to a point $\frac{1}{8}$ mile north and $\frac{3}{4}$ mile west of the southeast corner of Section 33, T13S, R20E; thence south $\frac{1}{2}$ mile; thence west $1\frac{1}{2}$ miles; thence south $2\frac{3}{4}$ miles; thence west $1\frac{3}{4}$ miles; thence south $\frac{3}{8}$ mile; thence west 860 feet; thence north $\frac{3}{8}$ mile; thence west 5,080 feet to a point $\frac{1}{8}$ mile west and $\frac{1}{8}$ mile south of the northeast corner of Section 22, T14S, R19E; thence north 1 mile; thence west $1\frac{1}{8}$ miles; thence south $\frac{3}{4}$ mile; thence west $\frac{3}{4}$ mile; thence south $\frac{1}{8}$ mile; thence west approximately 1,648 feet; thence north $\frac{1}{8}$ mile; thence west approximately 3,632 feet to the section line between Section 17 and 18; thence north $3\frac{1}{8}$ miles; thence west $\frac{1}{4}$ mile to a point $\frac{1}{4}$ mile north and $\frac{1}{4}$ mile west of the southeast corner of Section 31, T13S, R19E; thence north $\frac{13}{16}$ mile; thence east $\frac{5}{8}$ mile; thence north approximately $2\frac{13}{16}$ miles to the Clinton Reservoir Dam; thence along said dam in a northwesterly direction to the south line of Section 8, T13S, R19E, Douglas County, Kansas; thence west approximately $3\frac{3}{4}$ miles to a point $\frac{3}{8}$ mile west of the southeast corner of Section 10, T13S, R18E; thence north approximately $2\frac{1}{2}$ miles to the center of Coon Creek; thence in a northeasterly direction along said creek approximately $\frac{1}{4}$ mile to a point $\frac{1}{8}$ mile west of the east boundary of Section 34, T12S, R18E; thence east $\frac{1}{4}$ mile; thence north $1\frac{3}{16}$ miles; thence east $\frac{13}{16}$ mile to a point $\frac{1}{16}$ mile west and $\frac{1}{16}$ mile south of the northeast corner of Section 26, T12S, R18E; thence north $\frac{7}{8}$ mile to the center line of Interstate Highway 70 (Kansas Turnpike); thence in a southeasterly direction along said highway approximately $1\frac{9}{16}$ miles to a point $\frac{1}{2}$ mile east of the west line of Section 19, T12S, R19E; thence north approximately 1 mile to a point $\frac{1}{4}$ mile south and $\frac{1}{2}$ mile east of the northwest corner of Section 18, T12S, R19E; thence east $\frac{1}{2}$ mile; thence north 1 mile; thence east $\frac{15}{16}$ mile; thence north approximately $\frac{1}{2}$ mile to the center of the Kansas River; thence along said river in an easterly direction to a point $\frac{1}{6}$ mile west of the

Metes and Bounds description of the
Greater Lawrence Area Video Footprint (Continued)

east side of Section 4, T12S, R19E; thence north approximately 1 1/8 miles to a point 1/6 mile west and 3/8 mile south of the northeast corner of Section 33, T11S, R19E, Jefferson County, Kansas; thence east 1/4 mile; thence north 3/4 mile; thence east 13/16 mile; thence north 3 7/8 miles; thence east 4 15/16 miles to the point of beginning.

METES AND BOUNDS DESCRIPTION OF THE MANHATTAN, KANSAS VIDEO FOOTPRINT AREA

Beginning at the center of Section 27, T8S, R8E, Pottawatomie County, Kansas; thence south 4 miles; thence east 2 miles; thence south $5 \frac{3}{4}$ miles; thence east approximately $\frac{3}{4}$ mile to the center of the Kansas River; thence along said river in a northeasterly direction to a point $\frac{1}{2}$ mile west of the east side of Section 15, T10S, R9E, Riley County, Kansas; thence south approximately $3 \frac{1}{4}$ miles to the center of the south side of Section 34, T10S, R9E; thence to the center of the north side of Section 3, T11S, R9E; thence south $5 \frac{3}{4}$ miles; thence west $3 \frac{1}{2}$ miles; thence south 4 miles to a point $\frac{1}{4}$ mile north of the southeast corner of Section 24, T12S, R8E, Wabaunsee County, Kansas; thence west $2 \frac{1}{2}$ miles to a point $\frac{1}{4}$ mile north and $\frac{1}{2}$ mile west of the southeast corner of Section 22, T12S, R8E, Geary County, Kansas; thence north $1 \frac{1}{4}$ miles; thence west approximately 5 miles to a point $\frac{1}{2}$ mile west and $\frac{1}{2}$ mile north of the southeast corner of Section 13, T12S, R7E; thence south $\frac{1}{4}$ mile; thence west 3 miles; thence north $3 \frac{7}{8}$ miles; thence west $1 \frac{3}{4}$ miles; thence north approximately $3 \frac{1}{8}$ miles to the center of the Kansas River in Section 7, T11S, R7E, Riley County, Kansas; thence along said river in a westerly direction to its point of intersection with the east boundary of the Fort Riley Military Reservation in Section 12, T11S, R6E; thence along the east boundary of the Fort Riley Military Reservation in a northerly direction to a point $\frac{1}{4}$ mile east of the west side of Section 34, T9S, R6E; thence north approximately $\frac{5}{8}$ mile to a point $\frac{1}{4}$ mile east and $\frac{1}{2}$ mile south of the northwest corner of Section 27, T9S, R6E; thence east $1 \frac{1}{4}$ miles; thence north approximately $4 \frac{1}{4}$ miles to the center of the channel of the Mill Creek Arm of the Tuttle Creek Reservoir; thence along the center of said Mill Creek Arm channel in a southeasterly direction to a point $\frac{1}{2}$ mile east of the west side of Section 4, T9S, R7E; thence south to the center of Section 4, T9S, R7E; thence east 1 mile to the Riley-Pottawatomie County line; thence south approximately $\frac{1}{4}$ mile along said county line to a point approximately $\frac{1}{2}$ mile west and $\frac{1}{4}$ mile north of the southeast corner of Section 3, T9S, R7E, Pottawatomie County, Kansas; thence east approximately $2 \frac{1}{2}$ miles; thence north $1 \frac{1}{2}$ miles; thence east approximately $2 \frac{1}{4}$ miles to a point $\frac{1}{2}$ mile west and $\frac{3}{4}$ mile north of the southeast corner of Section 32, T8S, R8E; thence north $\frac{3}{4}$ mile; thence east 2 miles to the point of beginning.

CERTIFICATE OF SERVICE

07-SWBT-355-VSA

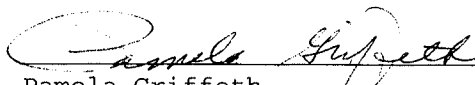
I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Notice of Filing Report and Recommendation was placed in the United States mail, postage prepaid, or hand-delivered this 1st day of July, 2008, to the following:

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Pamela Griffeth
Administrative Specialist