

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

Before Commissioners:                      Mark Sievers, Chairman  
   Thomas E. Wright  
   Shari Feist Albrecht

In the Matter of the Application of Time       )  
Warner Entertainment-Advance/Newhouse       )  
Partnership Filing Transfer of Video Service)       Docket No. 13-TWMC-206-VSA  
Authorization to Time Warner Cable               )  
Midwest, LLC.   )

**ORDER APPROVING TRANSFER OF VIDEO SERVICE AUTHORIZATION**

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

1.        On October 2, 2012, Time Warner Cable Midwest LLC (TWCM), an indirect, wholly-owned subsidiary of Time Warner Cable, Inc. (TWC), filed notice that it directly owns and operates the cable systems previously held by Time Warner Entertainment-Advance/Newhouse Partnership (TWEA/N), and requests a Video Service Transfer as authorized by K.A.R. 82-15-1. Pursuant to K.S.A. 12-2023(a), Commission action in this matter is required not later than November 1, 2012.

2.        On October 16, 2012, the Commission Staff (Staff) submitted its Report and Recommendation recommending the Commission grant the instant Application approving transfer of Authority to Provide Video Service to the twenty (20) communities formerly served by TWEA/N to TWCM. According to Staff, TWCM, on September 19, 2012, submitted an Application requesting Video Service Authorization in areas formerly serviced by TWEA/N. In conjunction with that Application, Staff states that the parent company, TWC, explained that it was undertaking an internal reorganization to streamline its operations. The result will be cable

operations being conducted through seven (7) regional entities designed to simplify management reporting. TWC's Application was approved by the Commission's Order issued October 5, 2012. The October 2, 2012 filing in this matter informs the Commission that TWC's internal restructuring was completed on September 30, 2012 and confirms that TWCM now owns and operates the cable systems previously held by TWEA/N. The October 2, 2012 filing references the September 19, 2012 filing and includes the TWEA/N Transfer Application.

3. Staff's analysis addresses both aspects of this transaction which includes transfer of a video service authorization certificate from one entity to another, as well as termination of video service authorization by the transferring entity. With respect to transfer of video service authorization, Staff cites K.A.R. 82-15-1(a)(4) which provides:

Each entity that holds a video service authorization certificate and wants to transfer its authority to provide cable or video service shall file a transfer application. Each entity to which the authority to provide cable or video service is transferred shall file an initial or amended application.

Staff confirms that TWCM received Video Service Authorization for the twenty (20) communities formerly served by TWEA/N in this docket pursuant to the Commission's Order of October 5, 2012. Regarding termination of video service authorization, Staff cites K.A.R. 82-15-1(a)(3) which provides:

Each entity that holds a video service authorization certificate and wants to terminate its authority to provide cable or video service shall file a termination application.

Staff concludes that in accordance with the foregoing administrative regulation, the Video Service Application granted to TWEA/N in Docket No. 07-KCTC-1394-VSA should be ceased. Report and Recommendation at page 2.

4. The Commission adopts Staff's recommendations of October 16, 2012, as stated in its Report and Recommendation, which is attached hereto and made a part hereof by reference, and finds that the Application filed in this matter should be granted and the requested transfer to TWCN of TWEA/N's video service authority to serve the twenty (20) communities formerly served by TWEA/N should be approved. Correspondingly, the video service authority granted to TWEA/N in Docket No. 07-KCTC-1394-VSA should be ceased.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. The Application filed in this matter on October 2, 2012 is hereby granted and the transfer to Time Warner Cable Midwest LLC of Time Warner Entertainment-Advance/Newhouse's video service authority to serve the twenty (20) communities formerly served by TWEA/N is hereby approved. Separately, the Commission will issue an Order in Docket No. 07-KCTC-1394-VSA ceasing TWEA/N's video service authorization certificate covering the twenty (20) communities formerly served by TWEA/N.


B. The parties have fifteen (15) days, plus three (3) days if service of this Order is by mail, from the date this Order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 2011 Supp. 77-529(a)(1).

C. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order, or orders, as it may deem necessary.

**BY THE COMMISSION IT IS SO ORDERED.**

Sievers, Chmn.; Wright, Comm.; Albrecht, Comm.

Dated: OCT 31 2012

  
**ORDER MAILED NOV 01 2012**  
Patrice Petersen-Klein  
Executive Director

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Mark Sievers, Chairman  
Thomas E. Wright, Commissioner  
Shari Feist Albrecht, Commissioner

Sam Brownback, Governor

**STAFF REPORT AND RECOMMENDATION  
UTILITIES DIVISION**

STATE CORPORATION  
COMMISSION

**OCT 18 2012**

PATRICE PETERSEN-KLEIN  
EXECUTIVE DIRECTOR

**TO:** Chairman Mark Sievers  
Commissioner Thomas E. Wright  
Commissioner Shari Feist Albrecht

**FROM:** Kelly Mabon, Telecommunications Analyst

**DATE:** October 16, 2012

**DATE SUBMITTED TO EXECUTIVE DIRECTOR:** 10/18/12

**DATE SUBMITTED TO LEGAL:** 10.23.12

**DATE SUBMITTED TO COMMISSIONERS:** 10-24-12

**SUBJECT:** Docket No. 13-TWMC-206-VSA  
In the Matter of the Application of Time Warner Entertainment-  
Advance/Newhouse Partnership Filing Transfer of Video Service  
Authorization to Time Warner Cable Midwest, LLC.

**EXECUTIVE SUMMARY:**

On October 2, 2012, Time Warner Cable Midwest LLC (TWCM), an indirect, wholly-owned subsidiary of Time Warner Cable, Inc. (TWC), filed notice that it directly owns and operates the cable systems previously held by Time Warner Entertainment-Advance/Newhouse Partnership (TWEA/N), and requests a Video Service Transfer as authorized by K.A.R. 82-15-1. Staff recommends approval of this Application.

Per K.S.A. 12-2023(a), Commission action in this matter is required not later than **Thursday, November 1, 2012.**

**BACKGROUND:**

On September 19, 2012, TWCM made an Application for Video Service Authorization in areas formerly serviced by TWEA/N. In this Application, the Parent Company, TWC, explained it was undertaking an internal reorganization to streamline operations. The reorganization will result in the cable operations being conducted through seven regional

entities designed to simplify management reporting. That Application was Approved by the Commission on October 5, 2012.

On October 2, 2012, this filing was made in which TWC informed the Commission that the internal restructuring was completed on September 30, 2012. TWCM now directly owns and operates the cable systems previously held by TWEA/N. The Application referenced the September 19<sup>th</sup> filing and, stated in conjunction with that filing, TWEA/N submits a Transfer Application.

**ANALYSIS:**

K.A.R. 82-15-1 (a)(4) states:

“Each entity that holds a video service authorization certificate and wants to transfer its authority to provide cable or video service shall file a transfer application. Each entity to which the authority to provide cable or video service is transferred shall file an initial or amended application.”

TWCM received Video Service Authorization for 20 communities formerly served by TWEA/N in this Docket on October 5, 2012.

In addition, K.A.R. (a)(3) states:

“Each entity that holds a video service authorization certificate and wants to terminate its authority to provide cable or video service shall file a termination application.”

Therefore, the Video Service Application granted to TWEA/N in Docket No. 07-KCTC-1394-VSA should be ceased.

**RECOMMENDATION:**

Staff recommends Commission approval of this Application to Transfer Authority to Provide Video Service to the 20 communities formerly served by TWEA/N. As TWEA/N no longer serves the areas transferred to TWCM, Staff further recommends the Certificate granted in Docket No. 07-KCTC-1394-VSA be ceased.

cc: Patrice Petersen-Klein, Executive Director  
Jeff McClanahan, Director of Utilities  
Christine Aarnes, Chief of Telecommunications

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET  
TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
OTTO NEWTON, LITIGATION COUNSEL 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 ***Hand Delivered***		
MONIQUE CRAWFORD, ADMINISTRATOR, REGULATORY AFFAIRS TIME WARNER CABLE 13820 SUNRISE VALLEY DR HERNDON, VA 20171-4659		

ORDER MAILED NOV 01 2012

The Docket Room hereby certified that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.