

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

JUN 13 2008

In the Matter of the Application of WTC
Communications, Inc. Filing for Kansas Video
Service Authorization.

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 Docket
Room

Docket No. 08-WCMC-963-VSA

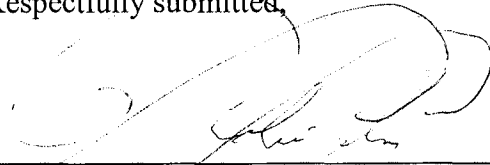
NOTICE OF FILING OF STAFF MEMORANDUM

COMES NOW the Staff of the State Corporation Commission of the State of Kansas (“Staff” and “Commission”, respectively), and for its Notice of Filing of Staff memorandum states as follows:

1. Staff hereby files the attached Staff memorandum indicating that the Commission should approve WTC Communications, Inc.’s application for statewide Video Service Authorization, as authorized by K.S.A. 12-2006 through 12-2026, a/k/a the “Video Competition Act.”

WHEREFORE, Staff requests the Commission consider its memorandum and for such other and further relief as the Commission deems just and proper.

Respectfully submitted,



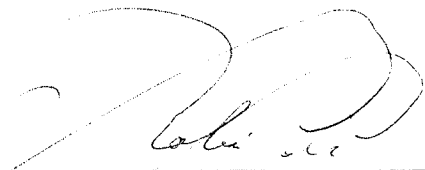
Robert E. Lehr, #9997
Litigation Counsel
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, Kansas 66604
(785) 271-3240 (Telephone)
(785) 271-3167 (Facsimile)

For Commission Staff

STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

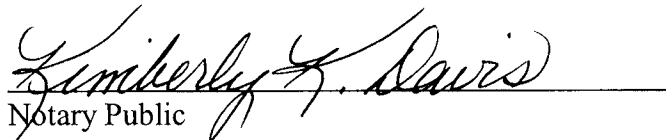
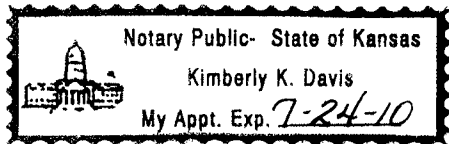
VERIFICATION

Robert L. Lehr, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas, that he has read and is familiar with the foregoing *Notice of Filing of Staff Memorandum*, and that the statements contained therein are true and correct to the best of his knowledge, information and belief.



Robert L. Lehr #9997
Litigation Counsel
The State Corporation Commission
of the State of Kansas

Subscribed and sworn to before me this June 13, 2008.



Notary Public

My Appointment Expires: July 24, 2010


CERTIFICATE OF SERVICE

08-WCMC-963-VSA

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Notice of Filing of Staff Memorandum was placed in the United States mail, postage prepaid, or hand-delivered this 13th day of June, 2008, to the following:

THOMAS E GLEASON, ATTORNEY
GLEASON & DOTY CHTD
PO BOX 6
LAWRENCE, KS 66044-0006
Fax: 785-856-6800
gleason@sunflower.com

STEVEN L. SACKRIDER, PRESIDENT
WTC COMMUNICATIONS, INC.
529 LINCOLN
PO BOX 25
WAMEGO, KS 66547
Fax: 785-456-9903



KIM DAVIS
Administrative Specialist

MEMORANDUM
UTILITIES DIVISION

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

FROM: Guy McDonald, Senior Telecommunications Analyst

DATE: June 9, 2008

DATE SUBMITTED TO LEGAL: 6/9/08

DATE SUBMITTED TO COMMISSIONERS: 6/13/08

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

BACKGROUND:

On April 21, 2008, WTC Communications Inc., (WTC) filed an Initial application for statewide Video Service Authorization, as authorized by K.S.A. 12-2006 through 12-2026, a/k/a the Video Competition Act.

On May 27, 2008, the applicant submitted a revised application correcting minor application omissions and on June 6th submitted another revised application.

Commission action in this matter is required not later than **Monday, July 7, 2008.**

ANALYSIS:

The applicant has identified its principal place of business as 1009 Lincoln Avenue, Wamego, Kansas, 66547 and has identified its senior management, responsible for cable television matters. In addition, the applicant has provided phone numbers and e-mail addresses for trouble reporting and technical support matters.

WTC is registered with the Kansas Secretary of State's office as a Not for Profit Corporation and is currently (a/o 6-6-2008) 'Active and in Good Standing' with that office.

The applicant is seeking Video Service Authorization in the following areas generally located in the north east part of the state and has provided the FCC assigned Community Unit Identification Numbers (CUID). Staff has verified the registrations with the FCC's Media Bureau's web site, <http://www.fcc.gov/mb/engineering/liststate.html> (a/o 6-6-2008).

Legal description of service area footprints

St. George Exchange

* KCC identifier: STGE-01-WCMC-01

Beginning at a point 1/2 mile north and 1/4 mile west of the southeast corner of Section 22, T9S, R9E, Pottawatomie County, Kansas; thence south 2 1/4 miles; thence west 1/2 mile to a point 1/4 mile east and 1/4 mile north of the southwest corner of Section 34, T9S, R9E; thence south 1 3/8 miles; thence east 3/8 mile; thence south 5/8 mile; thence east 1 1/8 miles; thence south approximately 1 1/2 miles to the Kansas River; thence in a northwesterly direction along said river to a point 1/4 mile south of the north side of Section 18, T10S, R9E; thence north 4 3/4 mile; thence east 4 1/4 miles to the point of beginning.

Paxico Exchange

* KCC identifier: PAXI-02-WCMC-02

Beginning at a point 1/8 mile west of the southeast corner of Section 23, T11S, R10E, Wabaunsee County, Kansas; thence north 4 miles to a point 1/8 mile west of the northeast corner of Section 2, T11S, R10E; thence to a point 1/4 mile west of the southeast corner of Section 35, T10S, R10E, thence north approximately 3 1/2 miles to Wabaunsee-Pottawatomie County Line; thence easterly along said county line to a point 1/8 mile west of the east side of Section 12, T10S, R11E; thence south approximately 4 miles to a point 1/8 mile west of the southeast corner of Section 36, T10S, R11E; thence east approximately 1/4 mile to a point 1/4 mile east of the northwest corner of Section 6, T11S, R12E; thence south approximately 15/16 mile to a point 1/16 mile north and 1/4 mile east of the southwest corner of Section 6, T11S, R12E; thence east 2 miles; thence south 2 5/16 miles; thence east 3/4 mile; thence south 3/4 mile; thence east 1/2 mile; thence south 1/2 mile; thence east 4 mile; thence south 2 miles; thence west 1/2 mile; thence south 1/2 mile; thence east 1/2 mile; thence south 1 mile; thence west 1 1/8 miles; thence south 1 7/8 miles; thence west 4 1/8 miles; thence south 2 1/8 miles; thence west 2 1/4 miles; thence north 3 1/8 miles; thence west 1/2 mile; thence north 2 7/8 miles to the northeast corner of Section 5, T12S, R11E; thence west 1 1/4 miles; thence north 1 3/8 miles; thence west 1 1/4 miles; thence north 5/8 mile; thence west 5/8 mile to the point of beginning.

Wamego Exchange

* KCC identifier: WAME-03-WCMC-03

Beginning at a point 1/4 mile south of the northwest corner of section 10, T8S, R11E, Pottawatomie County, Kansas; thence south 1 1/4 miles; thence east 3 3/4 miles; thence south 3 1/2 miles; thence east 3/4 mile; thence south 2 1/2 miles; thence west 3 miles; thence south 3/4 mile; thence west 1/8 mile; thence south 3/4 mile; thence west 3/8 mile to the southwest corner of section 23, T9S, R11E; thence south approximately 3 3/4 miles to the Pottawatomie-Wabaunsee County line; thence in a westerly direction along said county line to a point 1/4 mile west of the east line of section 14, T10S, R10E; thence south approximately 3 1/2 miles to a point 1/4 mile west of the southeast corner of section 35, T10S, R10E, Wabaunsee County; thence to a point 1/8 mile west of the northeast corner of section 2, T11S, R10E; thence south 7/8 mile; thence west 1 7/8 miles; thence south 1 1/8 miles; thence west 1 mile; thence south 1 mile;

ANALYSIS: (Continued)
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Legal description of service area footprints (Continued)

Wamego Exchange (Continued)

thence west 1 mile; thence south 1/4 mile; thence west 3/4 mile; thence north 1/8 mile thence west 2 3/4 miles; thence north 3 1/8 miles to a point 1/2 mile west of the northeast corner of section 3, T11S, R9E, Riley County; thence to a point 1/2 mile west of the southeast corner of section 34, T10S, R9E; thence north approximately 3 1/4 miles to the center of the Kansas River; thence in an easterly direction along the center line of said river to a point 1/4 mile west of the east line of section 23, T10S, R9E; thence north approximately 1 1/2 miles to a point 1/4 mile north and 1/4 mile west of the southeast corner of section 11, T10S, R9E, Pottawatomie County; thence west 1 1/8 miles; thence north 5/8 mile; thence west 3/8 mile; thence north 1 3/8 miles; thence east 1/2 mile; thence north 2 1/4 miles; thence west 4 1/4 miles thence north 1 mile; thence west 2 miles; thence north 4 miles to a point 1/2 mile north and 1/2 mile west of the southeast corner of section 27, T8S, R8E; thence east 8 miles; thence north 2 1/4 miles thence east 1 3/4 miles; thence north 1 mile; thence east 7 3/4 miles to the point of beginning.

St. Marys Exchange

* KCC identifier: STMA-04-WCMC-04

All territory within the corporate limits of the City of St. Mary's, Pottawatomie County, Kansas.

* KCC Identifiers were added by staff for ease of future reference using the following four field numbering convention; ABCD-xx-EFGH-yy, where ABCD is a four character abbreviation of the major community(s) encompassed within the serving area, xx is a two digit sequentially assigned number of the provider's service area, EFCH is the commission assigned four alpha character company code and yy indicates the version of the company's footprint where 01 is the initial version, 02 the first revision, etc.

The applicant's filing includes an electronic version of the above legal descriptions; compatible with the commission's mapping system. The June 6th Application revision states that the applicant will pass all encompassed households within five years.

By initialing, the applicant agrees 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. (June 6, 2008, revised Application item #5.)

WTC's system utilizes a satellite receiver arrangement with an 'off-the-air' terrestrial arrangement (for local programming) at a central or Head-End location. Signals are combined (multiplexed) at the Head-End and transported to the customer's location via a coaxial trunking network

ANALYSIS: (Continued)

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By initialing, the applicant agrees 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. (June 6, 2008, revised Initial Application, last item.)

Staff has reviewed the applicant's Initial application with revisions 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 WTC's application with its service area footprints to be identified and known as indicated above.

cc: Don Low
Janet Buchanan
Wayne Page

Tom Stratton
Bob Lehr

Susan Duffy
Patricia Shurtz