

**MEMORANDUM
UTILITIES DIVISION**

TO: Thomas E. Wright, Chairman
Robert E. Krehbiel, Commissioner
Michael C. Moffet, Commissioner

FROM: Guy McDonald, Senior Telecommunications Analyst

DATE: February 28, 2008

DATE SUBMITTED TO LEGAL: 2/28/08

DATE SUBMITTED TO COMMISSIONERS: 2/29/08

SUBJECT: In the Matter of the Application of Cox Communications Kansas L.L.C., Filing for Kansas Video Service Authorization.
Docket No. 07-CXKC-621-VSA

BACKGROUND:

On February 20, 2008, Cox Communications Kansas, LLC, (Cox) 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 authorization (Orders dated January 8, 2007, February 22, 2007 and July 12, 2007, in this Docket) in twelve service areas (footprints) in the south, southwest and central parts of the state. This amended filing seeks authority an additional area, Topeka.

Commission action in this matter is required not later than **Friday, March 21, 2008**.

ANALYSIS:

The applicant has previously identified¹ its principal place of business as 701 E. Douglas, Wichita Kansas, 67201, and the company's principal officers as;

Mrs. Kimberly Edmunds, Region Vice President and Region Manager Kansas,

Mr. Pat Esser, President,

Mr. Andrew Merdek, Secretary,

Ms. Susan Coker, Treasurer, and

Mr. Jay Allbaugh, Vice President Public and Government Affairs Kansas.

In addition, the applicant has previously identified¹ their key personnel contacts for regulatory and complaint matters.

The applicant is registered with the Kansas Secretary of State's office as a Limited Liability Company and is currently (a/o 2-27-08) 'Active and in Good Standing' with that office.

¹ Applicant's initial filing in this Docket, dated 12-20-06.

ANALYSIS: (Continued)
Docket No. 07-CXKC-621-VSA

The applicant is registered with the FCC as a Cable System Operator, as follows:

<u>Community Served</u>	<u>CUID #</u>
Topeka	KS0079

Staff has verified the above Community Unit Identification Numbers (CUID) via the FCC's Media Bureau's web site, <http://www.fcc.gov/mb/engineering/liststate.html> (a/o 2-27-08).

By initialing, the applicant has previously agreed² 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. (Application item #5).

The applicant is proposing one (1) additional service area encompassing the city of Topeka and surrounding area. A map with Township, Range and Section descriptions of the proposed area is included with the application and is included as an attachment to this memo. An electronic version of this description, with more precise boundary information, is included with the application in a format compatible with the commission's mapping system and will be considered as the legal description. For ease of future reference staff is identifying³ the proposed footprint, as follows: Topeka, TPKA-13-CXKC-01.

The applicant has provided drawings and a general description of the technologies to be used in providing their video service. The technologies include fiber and coax to the home utilizing ring topologies in both the Transport and Distribution portions of their network.

The applicant states that they will provide video programming throughout its footprint within five years of approval of its application.

RECOMMENDATION:

Staff recommends commission approval of Cox's application with its additional service area footprint to be identified and known as: Topeka, TPKA-13-CXKC-01.

cc: Don Low
Janet Buchanan

Colleen Harrell
Tom Stratton

Susan Duffy
Patricia Shurtz

Attachment A

² Applicant's initial filing in this Docket, dated 12-20-06.

³ 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.

General Descriptions of Proposed Service Areas

Topeka

T11S R16E S7, 15, 16, 17, 18, 19, 20, 21, 22, 26, 27, 28, 29, 30, 31, 32, 33, 34

T11S RISE S12, 13, 14, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36

T12S R16E S2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 16, 17, 18, 19, 20, 21, 30

T12S R15E S1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26,
27, 36

T12S R4E S12

A more precise depiction of the proposed service areas is contained in the electronic 'Shape' file accompanying this filing. In Attachment III of the filing the applicant advises that, with respect to more precisely describing the proposed service areas, the electronic file is more accurate and should be controlling.