

ORIGINAL



Windstream
600 West Broadway
Suite 400
San Diego, California 92104

Arizona Corporation Commission
DOCKETED

windstream 

December 16, 2015

DEC 16 2015

Docket Control
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

DOCKETED BY 

RECEIVED
2015 DEC 16 P 1:27
AZ CORP COMMISSION
DOCKET CONTROL

Re: Docket No. AU-00000A-15-0246

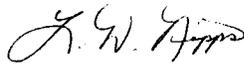
Dear Commissioners:

On November 16, 2015, Utilities Division Director Mr. Tom Broderick issued a memo inviting comments from affected telecommunications utilities and interested parties regarding a proposal to exempt competitive telecom from the Commission's Public Utility Holding Companies Affiliated Interests Rules, A.A.C. R14-2-801-806 ("Affiliate Rules"). Windstream and its certificated subsidiaries¹ offer the following comments.

Windstream supports the amendment proposed in the Application for Rulemaking to Amend A.A.C. R14-2-802(A) filed August 19, 2015. With respect to the telecom industry, the Affiliate Rules impose regulatory filing requirements and costs that do not result in increased customer benefit or protection. Resources expended by the industry to comply with the Affiliate Rules could be better directed toward network growth and investment, or towards product improvements. A second compelling reason for the proposed rule exemption follows directly from the fact that the Arizona State Legislature already exempted competitive telecom from Commission review of all asset transfers. A.R.S. § 40-285(F) (2013). If a competitive carrier need not obtain Commission approval to dispose of its assets, Commission approval should not be required if that carrier's affiliate (or holding company) chooses to reorganize, merge, consolidate, or refinance.

Windstream respectfully requests that the Commission act promptly on the Joint Application for Rulemaking and exempt competitive telecom from the Affiliate Rules.

Sincerely,



Lyndall Nipps
Regulatory Vice President-State Government Affairs

¹ Arizona certified subsidiaries of Windstream Corp. include: Windstream Communications, Inc., Talk America, Inc., McLeodUSA Telecommunications Services, LLC, and Paetec Communications, Inc.