

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-5210  
of Windstream KDL, LLC, )  
Windstream Services, LLC, and )  
Windstream Enterprise Holdings, ) ORDER GRANTING APPLICATION  
LLC, Little Rock, Arkansas, )  
seeking approval of a Transfer of )  
Control and a pro forma )  
restructuring. ) Entered: March 16, 2021

BY THE COMMISSION:

On February 9, 2021, an application was filed by Windstream KDL, LLC, Windstream Services, LLC, and Windstream Enterprise Holdings, LLC (collectively "Applicants"), Little Rock, Arkansas, seeking approval of a transfer of control and a pro forma restructuring. Notice of the application was published in The Daily Record, Omaha, Nebraska, on February 12, 2021. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

## O P I N I O N   A N D   F I N D I N G S

### Description of the Parties:

Windstream KDL, LLC, ("Windstream KDL") is a limited liability company organized under the laws of the State of Kentucky. Its principal office is located at 4001 North Rodney Parham Road, Little Rock, Arkansas. Windstream KDL is authorized to provide interexchange carrier telecommunications services throughout Nebraska pursuant to a Certificate of Public Convenience and Necessity granted in Docket No. C-4823. Windstream KDL is a direct subsidiary of Windstream Services, LLC.

Windstream Enterprise Holdings, LLC ("Windstream Enterprise") is a limited liability company organized under the laws of the State of Delaware. Its principal office is located at 4001 North Rodney Parham Road, Little Rock, Arkansas. Windstream Enterprise is a direct subsidiary of Windstream Services, LLC. Upon completion, Windstream Enterprise will control Windstream KDL.

### Description of the Transaction:

On February 8, 2021, Applicants entered into an agreement ("Planned Transaction") pursuant to which Windstream Enterprise will acquire Windstream KDL. As a result of the Planned Transaction, Windstream KDL will be a wholly owned, direct subsidiary of Windstream Enterprise.

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The Planned Transaction's anticipated effective date is April 30, 2021. Applicants state that following the Planned Transaction, Windstream Enterprise, through its subsidiary Windstream KDL, will continue to provide telecommunications services to Nebraska customers without interruption and without any resulting changes in rates, terms, or conditions of service. Customer notification will not be provided as Windstream KDL will remain under the control of Windstream Services, LLC and there will be no direct changes to customers. Thus, the transaction will be transparent to consumers.

According to the Applicant, the pro forma intra-company changes described are in the public interest and will simplify Windstream's existing corporate structure, reduce its reporting and accounting burdens, and provide beneficial operational efficiencies that will allow Windstream to serve its customers in a more efficient and nimble fashion.

Based on the evidence, we find the application to be fair and reasonable and in the public interest. The application should be granted.

## O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-5210 be, and it is hereby, granted.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 16th day of March, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Rob Johnson*  
*Crystal Brader*  
*Mary Kadden*  
*Tim Schram*

*Don Watson*  
Chair

ATTEST:

*Michael S. Hyatt*  
Executive Director