STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Time Warner Cable Information Services (South Carolina), LLC, d/b/a Time Warner Cable to Amend its Certificate of Public Convenience and Necessity to Provide Telephone Services in the Service Area of Sandhill Telephone Cooperative, Inc. and for Alternative Regulation

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

COVER SHEET

DOCKET NUMBER: 2011 - 52 - C

(Please type or print)

Submitted by: Margaret M. Fox, Esquire

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ **Emergency Relief demanded in petition**

☐ **Request for item to be placed on Commission's Agenda expeditiously**

☐ **Other:**

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
☐ Electric	☐ Affidavit	☐ Letter	☐ Request
☐ Electric/Gas	☐ Agreement	☐ Memorandum	☐ Request for Certification
☐ Electric/Telecommunications	☐ Answer	☐ Motion	☐ Request for Investigation
☐ Electric/Water	☐ Appellate Review	☐ Objection	☐ Resale Agreement
☐ Electric/Water/Telecom.	☐ Application	☐ Petition	☐ Resale Amendment
☐ Electric/Water/Sewer	☐ Brief	☒ Petition for Reconsideration	☐ Reservation Letter
☐ Gas	☐ Certificate	☐ Petition for Rulemaking	☐ Response
☐ Railroad	☐ Comments	☐ Petition for Rule to Show Cause	☐ Response to Discovery
☐ Sewer	☐ Complaint	☐ Petition to Intervene	☐ Return to Petition
☒ Telecommunications	☐ Consent Order	☐ Petition to Intervene Out of Time	☐ Stipulation
☐ Transportation	☐ Discovery	☐ Prefiled Testimony	☐ Subpoena
☐ Water	☐ Exhibit	☐ Promotion	☐ Tariff
☐ Water/Sewer	☐ Expedited Consideration	☐ Proposed Order	☐ Other:
☐ Administrative Matter	☐ Interconnection Agreement	☐ Protest	
☐ Other:	☐ Interconnection Amendment	☐ Publisher's Affidavit	
	☐ Late-Filed Exhibit	☐ Report	

Print Form Reset Form

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2011-52-C

IN RE: Application of Time Warner Cable Information Services (South Carolina), LLC, d/b/a Time Warner Cable to Amend its Certificate of Public Convenience and Necessity to Provide Telephone Services in the Service Area of Sandhill Telephone Cooperative, Inc. and for Alternative Regulation	)	**PETITION FOR CLARIFICATION OR RECONSIDERATION**

PETITION FOR CLARIFICATION OR RECONSIDERATION OF ORDER NO. 2011-393

Sandhill Telephone Cooperative, Inc. ("Sandhill"), pursuant to S.C. Code Ann. § 58-9-1200 (1976) and applicable rules and regulations of the Public Service Commission of South Carolina ("Commission"), hereby petitions for clarification or reconsideration of the Commission's Order No. 2011-393, issued in this docket on June 7, 2011. Counsel for Sandhill received a copy of Commission Order No. 2011-393 on June 9, 2011. In support of the Petition for Clarification or Reconsideration, Sandhill respectfully states the following:

1. On February 1, 2011, Time Warner Cable Information Services (South Carolina), LLC ("Time Warner") filed its Application in this matter. In the Application, Time Warner requested that the Commission amend its existing Certificate of Public Convenience and Necessity under Order Nos. 2004-213, 2005-385(A), and 2009-356 to include authority to serve customers in the geographic area served by Sandhill. Sandhill intervened in the proceeding.

2. On April 28, 2011, Time Warner filed a Motion for Expedited Review of its Application, requesting that the hearing on this matter be waived.

3. As the Commission correctly states in its Order No. 2011-393, Sandhill did not oppose the granting of Time Warner's Application. However, as stated in Time Warner's Motion for Expedited Review, "Sandhill's agreement not to oppose the application [was] based on its understanding that Time Warner is seeking the same authority that was granted by the Commission in Order No. 2009-356 with respect to other rural LECs' service areas, subject to the same terms and conditions stated therein." See Time Warner Motion at para. 2. We respectfully request that the Commission clarify Order No. 2011-393 to the extent necessary to clearly reflect that the authority granted to Time Warner in Sandhill's service area is the same authority that was granted by the Commission in Order No. 2009-356, subject to the same terms and conditions stated therein.

4. Additionally, Commission Order No. 2011-393 provides in part that "Sandhill draws subsidy funds from the South Carolina Universal Service Fund to protect it from competition, and the current guidelines of the fund allow it to seek additional funding." Order No. 2011-393 at p. 3. While that statement does appear in Time Warner's Application, we believe it is inaccurate and presumptuous. For that reason, counsel for Sandhill asked Time Warner (and Time Warner's counsel agreed) not to include that language in the pre-filed Direct Testimony of Ms. Charlene Keys in this proceeding, and that language was in fact omitted. We likewise request that the Commission delete the referenced language from its final Order in this proceeding.

WHEREFORE, Sandhill Telephone Cooperative, Inc. respectfully requests that the Commission clarify or reconsider Order No. 2011-393 as requested herein, and grant such other and further relief as is just and reasonable.

Respectfully submitted,

By: Margaret M. Fox

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ATTORNEYS FOR SANDHILL
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Columbia, South Carolina

June 17, 2011

BEFORE
THE PUBLIC SERVICE COMMISSION
OF
SOUTH CAROLINA

Docket No. 2011-52-C

IN RE: Application of Time Warner Cable Information Services (South Carolina), LLC, d/b/a Time Warner Cable to Amend its Certificate of Public Convenience and Necessity to Provide Telephone Services in the Service Area of Sandhill Telephone Cooperative, Inc. and for Alternative Regulation	)	**CERTIFICATE OF SERVICE**

I, Rebecca W. Martin, do hereby certify that I have this date served one (1) copy of the attached Petition For Clarification or Reconsideration upon the following parties causing said copy to be deposited with the United States Postal Service, first class postage prepaid and properly affixed thereto, and addressed as follows:

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June 17, 2011

Columbia, South Carolina