STATE OF SOUTH CAROLINA

(Caption of Case)

Petition for Arbitration of Interconnection Agreement between Time Warner Cable Information Services (South Carolina), LLC d/b/a Time Warner Cable and Farmers Telephone Company, Inc.

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

COVER SHEET

DOCKET NUMBER: 2011 - 243 - 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 Nos. 2011-243-C, 2011-244-C, 2011-245-C, and 2011-246-C

IN RE:	Petition for Arbitration of Interconnection Agreement between Time Warner Cable Information Services (South Carolina), LLC, doing business as Time Warner Cable and Farmers Telephone Cooperative, Inc. (Docket No. 2011-243-C)	)

IN RE:	Petition for Arbitration of Interconnection Agreement between Time Warner Cable Information Services (South Carolina), LLC, doing business as Time Warner Cable and Fort Mill Telephone Company (Docket No. 2011-244-C)	)

IN RE:	Petition for Arbitration of Interconnection Agreement between Time Warner Cable Information Services (South Carolina), LLC, doing business as Time Warner Cable and Home Telephone Company, Inc. (Docket No. 2011-245-C)	)

IN RE:	Petition for Arbitration of Interconnection Agreement between Time Warner Cable Information Services (South Carolina), LLC, doing business as Time Warner Cable and PBT Telecom, Inc. (Docket No. 2011-246-C)	)

RESPONSE TO MOTION TO CLARIFY THE PETITIONS FOR ARBITRATION

Pursuant to 26 S.C. Regs. 103-829 and other applicable rules of practice and procedure of the Public Service Commission of South Carolina ("Commission"), Farmers Telephone Cooperative, Inc. ("Farmers"); Fort Mill Telephone Company d/b/a Comporium Communications ("Fort Mill"); Home Telephone Company, Inc. ("Home"); and PBT Telecom, Inc. ("PBT") (collectively "RLECs") hereby submit the following Response to the Motion to Clarify Petitions for Arbitration filed on August 16, 2011, by Time Warner Cable Information Services (South Carolina), LLC d/b/a Time Warner Cable ("TWCIS" or "Applicant").

In its motion, TWCIS moves to "clarify" its petitions for arbitration that were filed on June 14, 2011. TWCIS also seeks to file a Revised Petition for Arbitration, which it includes as an attachment to its motion. TWCIS states that the reason it feels compelled to revise its Petition is because of "the late timing of this new assertion [i.e., that the initial terms of the respective Sprint ICAs has expired, and that the agreements are not available for opt-in] by the [RLECs]." See Motion at p. 4.

The RLECs disagree with TWCIS' suggestion that RLECs should have raised the issue at an earlier time of whether the Sprint ICAs were available for opt-in.

Having said that, RLECs do not object to TWCIS' request to revise its Petition for Arbitration as set forth in the attachment to its Motion; *provided, however* that RLECs must be afforded an adequate opportunity to respond to the Revised Petition. Federal law provides for a statutory twenty-five (25) days in which to respond to a Petition for Arbitration. See 47 U.S.C. § 252(b)(3). However, RLECs are willing to waive that statutory right in order to expedite matters and allow the hearing to proceed as scheduled along with revision of their Response to TWCIS'

Revised Petition for Arbitration. Consequently, attached and incorporated by reference RLEC's Response to Revised Petition for Arbitration.

Respectfully submitted,

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ATTORNEYS FOR FARMERS TELEPHONE COOPERATIVE, INC.; FORT MILL TELEPHONE COMPANY D/B/A COMPORIUM COMMUNICATIONS; HOME TELEPHONE COMPANY, INC.; AND PBT TELECOM, INC.

Columbia, South Carolina

August 19, 2011

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

Docket Nos. 2011-243-C, 2011-244-C, 2011-245-C, and 2011-246-C

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CERTIFICATE OF SERVICE

I, Rebecca W. Martin, do hereby certify that I have this date served one (1) copy of the attached Response to Time Warner Cable's Motion to Clarify the Petitions For Arbitration to the following parties causing said copies to be deposited with the United States Postal Service, first class postage prepaid and properly affixed thereto, and addressed as follows:

Frank R. Ellerbe, III, Esquire
Bonnie D. Shealy, Esquire
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Columbia, South Carolina 29202

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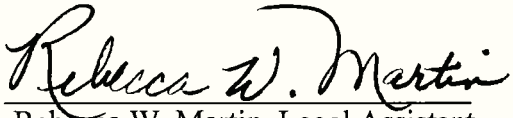

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August 19, 2011

Columbia, South Carolina