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June 17, 2016

VIA ELECTRONIC FILING

Daniel P. Wolf
Executive Secretary
Minnesota Public Utilities Commission
121 Seventh Place East, Suite 350
Saint Paul, Minnesota 55101

Re: In the Matter of the Application of Charter Fiberlink CC VIII, LLC for an Amended Certificate of Authority to Provide Facilities-Based Local Exchange Services, Resold Local Exchange Services, Interexchange Services and Local Niche Services in Additional Exchanges; MPUC Docket No. P5615/SA-16-375

Dear Mr. Wolf:

Enclosed is the Objection and Referral to Full Commission of Charter Fiberlink CC VIII, LLC in connection with the above-referenced matter. Please file this document in your usual fashion.

If you have any questions regarding the foregoing, please contact the undersigned.

Sincerely,

A handwritten signature in blue ink that reads "Kennard B Woods".

Kennard B. Woods
Counsel for Charter Fiberlink CC VIII, LLC

KBW/nh

Enc.

cc: Charter Fiberlink CC VIII, LLC
(with enclosure)
Charles A. Hudak, Esq.
(without enclosure)

**STATE OF MINNESOTA
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION**

Beverly Jones Heydinger	Chair
Matt Schuerger	Commissioner
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
John Tuma	Commissioner

In the Matter of the Application of Charter
Fiberlink CC VIII, LLC for an Amended
Certificate of Authority to Provide Facilities-
Based Local Exchange Services, Resold Local
Exchange Services, Interexchange Services
and Local Niche Services in Additional
Exchanges

MPUC Docket No.: P5615/SA-16-375

**CHARTER FIBERLINK CC VIII, LLC
OBJECTION AND REFERRAL TO FULL COMMISSION**

COMES NOW Charter Fiberlink CC VIII, LLC (“**Charter Fiberlink CC VIII**”) and, pursuant to Minn. Stat. § 216A.03, subd. 8 (b), hereby objects to the Order issued on June 8, 2016, by the consent calendar subcommittee of the Minnesota Public Utilities Commission (the “**Commission**”) in this proceeding. Further, Charter Fiberlink CC VIII specifically requests that (1) the Order be referred to the full Commission, and (2) the full Commission reissue the Order but strike the following sentence:

Before becoming operational in the Altura exchange of Embarq Minnesota, Inc. d/b/a CenturyLink, Charter Fiberlink CC VIII will need to file and receive Commission approval of an interconnection agreement with Embarq Minnesota.

In support of its request, Charter Fiberlink CC VIII states as follows:

1. Based on the initial recommendations of the Minnesota Department of Commerce (the “**Department**”) dated May 16, 2016, the Order granted conditional approval of Charter Fiberlink CC VIII’s request to expand its service area to include the Altura, Backus and Hackensack

exchanges. The Department's recommendations included its request that Charter Fiberlink CC VIII file and receive Commission approval of an interconnection agreement with Embarq Minnesota.

2. On May 27, 2016, Charter Fiberlink CC VIII filed Reply Comments in response to the Department's initial recommendations. In its Reply Comments, Charter Fiberlink explained why such an interconnection agreement is unnecessary:

- a. As Charter Fiberlink CC VIII's application states, it will obtain interconnection through its affiliated company, Charter Fiberlink CCO, LLC ("**Charter Fiberlink CCO**"), which has an interconnection agreement with Embarq Minnesota, Inc. d/b/a CenturyLink, which was approved by the Commission on May 24, 2010.
- b. In Charter Fiberlink CC VIII's previous applications for expanded service authority, it made substantially similar representations, which the Department and the Commission found acceptable, of the affiliation and common management structure with Charter Fiberlink CCO and of the latter's interconnection arrangements.

3. On June 6, 2016, the Department withdrew its recommendation that Charter Fiberlink CC VIII file and receive Commission approval of an interconnection agreement with Embarq Minnesota. In its revised recommendations, the Department specifically stated that it "wishes to modify its recommendation by deleting the requirement for Charter Fiberlink CC VIII to file an interconnection agreement with Embarq Minnesota." The Department concluded: "The description provided by Charter Fiberlink CC VIII, in its May 27, 2016 reply comments, of the arrangement between Charter Fiberlink CCO and Charter Fiberlink CC VIII appears to be consistent with the

existing practice of CLEC to CLEC agreements not being submitted to the Commission for approval.”

4. The provision of the Order requiring Charter Fiberlink CC VIII to file and receive approval for an interconnection agreement with Embarq Minnesota is contrary to both the information submitted by Charter Fiberlink CC VIII and the Department’s own recommendation.

5. Therefore, Charter Fiberlink respectfully requests that the Commission do the following: (1) refer the June 6 Order to the full Commission, and (2) reissue the Order without the following sentence:

Before becoming operational in the Altura exchange of Embarq Minnesota, Inc. d/b/a CenturyLink, Charter Fiberlink CC VIII will need to file and receive Commission approval of an interconnection agreement with Embarq Minnesota.

Respectfully submitted,

Dated: June 17, 2016

By
/s/ Charles A. Hudak
/s/ Kennard B. Woods
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STATE OF MINNESOTA
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger	Chair
Matt Schuerger	Commissioner
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
John Tuma	Commissioner

Request by Charter Fiberlink CC VIII, LLC to)
amend its certificate of authority by)
expanding its service area.) Docket No. P5615/SA-16-375

CERTIFICATE OF SERVICE

STATE OF GEORGIA)
)ss
COUNTY OF DEKALB)

Kennard B. Woods, being first duly sworn, hereby states that on the 17th day of June, 2016, the foregoing Objection and Referral to Full Commission was served on the attached list of persons by electronic mail or by depositing a true and correct copy thereof via U.S. Mail, first class postage prepaid.

/s/ Kennard B. Woods

SWORN TO BEFORE ME this
17th day of June, 2016

/s/ Nicola Haynes
NOTARY PUBLIC
My Commission Expires Sept. 22, 2016

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