

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Application of Time )  
Warner Cable Information Services )  
(Missouri) LLC on behalf of Kansas City )  
Cable Partners to Cancel its Certificates of )  
Service Authority and Tariffs in the State )  
of Missouri )

Case No. TD-2007-0455

**STAFF RECOMMENDATION**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff) and for its recommendation states:

1. On May 30, 2007, Time Warner Cable Information Services (Missouri) LLC filed an application seeking cancellation of the certificate of service authority to provide intrastate private line and interexchange telecommunications services that the Commission granted to its affiliate, Kansas City Cable Partners, in Case No. TA-98-428, as well as its tariffs.

2. According to the records of the Missouri Secretary of State, “Kansas City Cable Partners, a Colorado General Partnership,” was a fictitious name used by American Cablevision of Kansas City, Inc. and TCID of Missouri, Inc., who were authorized to use this name from December 12, 1985, to August 8, 1998. On August 8, 1998, the authorization was cancelled. On August 7, 1998, Time Warner Entertainment Co., L.P. and Liberty Cable of Missouri, Inc., as “owners,” submitted a request to use the fictitious name “Kansas City Cable Partners.” On May 6, 2004, Time Warner Entertainment Co., L.P. submitted a request to the Missouri Secretary of State to cancel its registration of that fictitious name. Accordingly, at this time, no entity is authorized to use that fictitious name. Kansas City Cable Partners was never registered with the Secretary of State as a general partnership, or anything other than as a fictitious name. The fact

that no Time Warner entity is authorized to use that name supports Time Warner Cable Information Services (Missouri) LLC's request for cancellation.

3. Because Time Warner Cable Information Services (Missouri) LLC has requested cancellation of the certificate granted in Case No. TA-98-428 and it is not providing telecommunications service in Missouri under the authority granted by the Commission in that case, the Staff recommends that the Commission issue an order canceling the company's certificate of service authority. See Appendix A.

4. Staff notes that the application also refers to the certificate of service authority granted by the Commission in Case No. TA-88-232. However, it appears that certificate has already been cancelled. See *Order Cancelling Certificate and Tariff*, Case No. TC-2004-0356 (May 27, 2004).<sup>1</sup> Thus, the Commission need not cancel this certificate at this time.

5. The Commission has the authority to cancel a telecommunications corporation certificate pursuant to Section 392.410.5 RSMo (Supp. 2006), which provides:

Any certificate of service authority may be altered or modified by the commission after notice and hearing, upon its own motion or upon application of the person or company affected.

However, the Commission need not hold a hearing, if, after proper notice and opportunity to intervene, no party requests such a hearing. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494 (Mo. App. 1989).

---

<sup>1</sup> Specifically, the Commission provided this history in its order at pages 2-3: "Staff indicates that according to the Secretary of State, K.C. Fibernet is an inactive fictitious registration that is owned by Kansas City Cable Partners. The K.C. Fibernet registration was canceled in 1994. Kansas City Cable Partners was also a fictitious registration and was canceled in 1998. The partners in Kansas City Cable Partners were American Cablevision of Kansas City, Inc. and TCID of Missouri, Inc. American Cablevision was dissolved in 1994. TCID of Missouri has changed its name to TCI of Missouri, Inc. and is now owned by TimeWarner. TimeWarner received staff's complaint but, as previously indicated, an attorney for TimeWarner contacted Staff and reported that K.C. Fibernet went out of business in 1998."

WHEREFORE, the Staff recommends the Commission cancel the Certificate of Service Authority it originally granted to “Kansas City Cable Partners” using the name American Cablevision (subsequently modified to Time Warner Cable) in Case No. TA-98-428, as well as the tariff, PSC Mo. No. 1, adopted in TO-2000-213 and filed under the name “Time Warner Cable(KCCP),” under tracking number JX-2003-0879.

Respectfully submitted,

**/s/ David A. Meyer**

---

David A. Meyer  
Senior Counsel  
Missouri Bar No. 46620

Attorney for the Staff of the  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102  
(573) 751-8706 (Telephone)  
(573) 751-9285 (Fax)  
[david.meyer@psc.mo.gov](mailto:david.meyer@psc.mo.gov)

### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed or electronically mailed to all parties of record this 12<sup>th</sup> day of June 2007.

**/s/ David A. Meyer**

---

# MEMORANDUM

To: Missouri Public Service Commission Official Case File  
Case No. TD-2007-0455  
Kansas City Cable Partners d/b/a Time Warner Cable

From: Sherri Kohly  
Telecommunications Department

William L. Voight 06/07/07  
Utility Operations Division/Date

David A. Meyer 06/07/07  
General Counsel's Office/Date

Subject: Staff Recommendation to Cancel Certificate of Service Authority and Accompanying  
Tariff

Date: June 7, 2007

On May 30, 2007, Time Warner Cable Information Services (Missouri), LLC (TWCIS), filed an Application on behalf of Kansas City Cable Partners d/b/a Time Warner Cable (KCCP) to Cancel Certificate of Service Authority and Tariffs. According to the Application, KCCP was a Colorado general partnership and an affiliate of Time Warner Cable, Inc. TWCIS is also an affiliate of Time Warner Cable, Inc. and has been designated to wind up the affairs of KCCP in the State of Missouri.

Kansas City Cable Partners d/b/a American Cablevision was certificated to provide interexchange telecommunications services on June 1, 1998 in Case No. TA-98-428. On October 26, 1999, the Commission issued an Order Recognizing Change of Corporate Name and Approving Adoption Notice changing the name of Kansas City Cable Partners d/b/a American Cablevision to Kansas City Cable Partners d/b/a Time Warner Cable (Case No. TO-2000-213).

According to TWCIS' application, KCCP has no customers in the State of Missouri and KCCP does not provide telecommunications services in Missouri. Because no customers are affected by the application, the cancellation of KCCP's certificate is not detrimental to the public interest. The Staff has no objections to the request for cancellation and recommends that the Commission issue an order to cancel Kansas City Cable Partners d/b/a Time Warner Cable's certificate of service authority to provide interexchange telecommunications services and the accompanying tariff, PSC Mo. No. 1. The Staff is unaware of any other filing which affects or which would be affected by this proposal.

☒ The Company is not delinquent in filing an annual report and paying the PSC assessment.  
☐ The Company is delinquent: ( ☐ No annual report ☐ Unpaid PSC assessment. Amount owed: )

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Application of Time )	
Warner Cable Information Services )	
(Missouri), LLC on behalf of Kansas City )	Case No. TD-2007-0455
Cable Partners to Cancel its Certificates of )	
Service Authority and Tariffs in the State )	
of Missouri )	

**AFFIDAVIT OF SHERRI L. KOHLY**

STATE OF MISSOURI            )  
  ) ss:  
COUNTY OF COLE            )

Sherri L. Kohly, employee of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that she has participated in preparing the accompanying Memorandum, and that the facts therein are true and correct to the best of her knowledge and belief.

  
\_\_\_\_\_  
Sherri L. Kohly

Subscribed and affirmed before me this 7TH day of June 2007  
I am commissioned as a notary public within the County of Callaway,  
State of Missouri and my commission expires on 9-21-10



SUSAN L. SUNDERMEYER  
My Commission Expires  
September 21, 2010  
Callaway County  
Commission #06942086

  
\_\_\_\_\_  
NOTARY PUBLIC