

PSC NO.: 1 TELEPHONE  
Windstream New York, Inc.  
Initial Effective Date: August 26, 2006

Section: 8 Leaf: 13  
Revision: 0  
Superseding Revision:

## SECTION 8 - NON-RECURRING SERVICE, RESTORAL AND CONSTRUCTION CHARGES

### D. UNDERGROUND EXTENSIONS FOR NEW RESIDENTIAL SUBDIVISIONS (Cont'd.)

#### 3. Responsibility of Telephone Company (Cont'd)

In cases where overhead installation would be permissible, in accordance with condition (3) above except that less than five years have elapsed and the Company has reason to believe that the subdivision will not be developed sufficiently soon to permit the orderly utilization of underground facilities installed to serve the initial subscriber(s), the Company may petition the Commission to allow overhead installation, which petition shall set forth the relevant economic, engineering and environmental factors.

If Windstream New York receives an application for service within a residential subdivision which is governed by the provisions of this section and the per foot cost of installing the necessary distribution or feeder facilities will be greater than two times the cost per foot of installing overhead distribution or feeder facilities, the Company or applicant may petition the Secretary of the Public Service Commission to allow overhead installation, which petition shall set forth the the relevant economic, engineering and environmental factors. The petition shall be reviewed by the Staff. Staff shall notify the petitioner within 60 days of receipt of the petition either that the petition is granted or that staff objects to it. If staff objects, the petition shall be referred to the Commission for further review. The petition shall be granted or denied based on economic, engineering or environmental factors. If the necessary facilities are proposed to be in a VSR, the procedures set forth in this tariff shall apply. If the residential subdivision is located within the Adirondack Park, the utility shall send a copy of the petition to the Adirondack Park Agency.

Where any part of a feeder facility in excess of that required is to be placed overhead, the applicant must submit a written application to the utility at least 75 days prior to the projected commencement of construction of the feeder facility and the Company must report such projected construction to the Commission no later than 45 days before such construction is commenced, the Commission reserving the right to require the underground installation of particular facilities on basis of the relevant economic, engineering or environmental factors.

In the event Windstream New York intends at its own discretion or is required to an applicant's residential subdivision, it shall inform the electric company and cable television company serving the area in which the subdivision is located. If a new common access route from existing systems to the subdivision will be used, the connecting facilities of the utility, the electric company and cable television company shall be placed underground.

Issued pursuant to the Order of the Public Service Commission of September 21, 1992 in Case No. 92-M-0607.

Issued by: Vice President, Little Rock, Arkansas