

PSC NO.: 1 TELEPHONE  
Windstream New York, Inc.  
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## SECTION 8 - NON-RECURRING SERVICE, RESTORAL AND CONSTRUCTION CHARGES

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

#### 3. Responsibility of Telephone Company

##### Installation of Underground Distribution System Within Subdivision

Within the applicant's subdivision the Telephone Company shall construct, own, operate, and maintain underground distribution and feeder facility only along public streets roads and highways which the Telephone Company has the legal right to occupy, and on public land and private property across which rights-of-way and easements satisfactory to the Telephone Company may be obtained without cost by the Telephone Company.

Any distribution or feeder facility necessary to furnish permanent telephone service to one or more multiple occupancy buildings (including four or more dwelling units) shall be installed underground and any such facility necessary to furnish permanent telephone service within a subdivision in which it is planned to build five or more new residential buildings shall be installed underground if:

- (1) The subdivision will require no more than 200 trench feet of facilities per dwelling unit planned within the subdivision: or
- (2) Windstream New York for such underground service without contribution: or
- (3) A governmental authority with jurisdiction to do so has required undergrounding: or
- (4) An applicant requests undergrounding.

After distribution or feeder facilities are installed underground in a residential subdivision, no overhead circuits shall be installed by a utility within such subdivision.

Windstream New York may install overhead distribution or feeder facilities in a residential subdivision or a section hereof otherwise required to have underground distribution facilities in accordance with this section when:

- (1) The developer of the subdivision is not primarily engaged in the construction of dwelling units within the subdivision:
- (2) No governmental authority having jurisdiction to do so has required underground installation: and
- (3) Either:
  - (a) Five years have elapsed from the sale of the first lot within the subdivision to the first application for service and the utility has no indication that there will be new requests for service in the subdivision within six months.
  - (b) Five years have elapsed from the date of the final approval of the subdivision or section thereof, and less than 25 percent of the lots have been sold in the subdivision and every section thereof, except where ten percent or more of the lots in the subdivision or any section thereof have been sold within the last two years;

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