

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0333T

IN THE MATTER OF A JOINT APPLICATION FILED BY TIME WARNER CABLE
INFORMATION SERVICES, LLC AND COMCAST CORPORATION REQUESTING
APPROVAL OF MERGER TRANSACTION.

**INTERIM DECISION DEEMING
APPLICATION COMPLETE AND REFERRING THE
MATTER TO AN ADMINISTRATIVE LAW JUDGE**

Mailed Date: May 28, 2014
Adopted Date: May 28, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On April 11, 2014, Time Warner Cable Inc. (Time Warner), on behalf of its wholly-owned subsidiary Time Warner Cable Information Services (Colorado), LLC (TWCIS), and Comcast Corporation (Comcast) jointly filed a Joint Application for Approval of Merger Transaction requesting approval for a transaction that will result in the transfer of control of TWCIS from Time Warner to Comcast.

2. On May 14, 2014, DISH Network, L.L.C. (DISH), filed a Motion to Modify the Procedural Schedule (Motion) in this proceeding. Within its Motion, DISH claims it has standing to intervene because it has a justiciable interest that may be adversely impacted by the outcome of the proceeding. DISH further notes the Commission has not deemed the application complete pursuant to § 40-6-109.5, C.R.S., as of the date of its filing and argues that consideration of additional complexities due to transactions conducted after the Application was filed warrant that the Application is “outdated and incomplete.”

3. On May 15, 2014, Qwest Corporation, doing business as CenturyLink QC (CenturyLink QC), filed a petition to intervene and, on May 16, 2014, filed a motion requesting the Commission grant this late-filed petition to intervene. CenturyLink QC claims it inadvertently e-filed its intervention petition after 5:00 p.m. on May 14, 2014, the current deadline for intervention; consistent with Commission rules, the filing was deemed submitted as of 8:00 a.m. May 15, 2014.

4. We find that the Application contains the requirements of Rule 2109 of the Rules Regulating Telecommunications Providers, Services, and Products, 4 *Code of Colorado Regulations* 723-2 and is complete. The Application is deemed complete by this Decision. Therefore, to the extent DISH argues the Application is incomplete for purposes of § 40-6-109.5, C.R.S., and Commission rules, this argument in DISH's Motion is moot.

5. This matter, including without limitation, the merits of the Application, determinations on interventions, and all requests within the Motion with the exception of deeming the Application complete, are referred to an Administrative Law Judge for a Recommended Decision.

II. ORDER

A. **It Is Ordered That:**

1. The Joint Application for Approval of Merger Transaction, jointly filed April 11, 2014, by Time Warner Cable Inc., on behalf of its wholly-owned subsidiary Time Warner Cable Information Services (Colorado), LLC, and Comcast Corporation is deemed complete.

2. This matter, including without limitation, interventions and motions filed in this proceeding as discussed above, is referred to an Administrative Law Judge.

3. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 28, 2014.**

(S E A L)



ATTEST: A TRUE COPY



Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners