

**Adelphia**

September 21, 2004

Beth O'Donnell  
Executive Director  
Kentucky Public Service Commission  
P.O. Box 615  
211 Sower Boulevard  
Frankfort, Kentucky 40602-0615

RECEIVED

SEP 23 2004

PUBLIC SERVICE  
COMMISSION

05054660  
0505

Pursuant to 807 KAR 5:011, Section 11 and the Commission's Order in Administrative Case No. 370, ACC Telecommunications LLC, d/b/a Adelphia ("ACC") submits four copies of this letter to the Commission with the following attachments, including two copies of its tariff (Attachment A), and information regarding ACC's intent to provide intrastate dedicated, non-switched telecommunications service in Kentucky.

In Administrative Case No.370, the Commission specifically permits CLECs to file a tariff with 30 days' notice to the Commission and to provide the following information prior to entry into the Kentucky market.

**1. Name and address of company:**

ACC Telecommunications, LLC, d/b/a Adelphia  
5619 DTC Parkway, Suite 800  
Greenwood Village, CO 80111

**2. Articles of Incorporation or Partnership Agreement:**

Copies of the organizational documents for ACC are attached to this letter as Attachment B.

**3. Name, street address, telephone number and fax number of responsible contact person for customer complaints and regulatory issues:**

Jo Gentry  
ACC Telecommunications, LLC  
5619 DTC Parkway, Suite 800  
Greenwood Village, CO 80111  
Tel. (303-268-6684)  
Fax (720) 293-0222

**4. Notarized statement by an officer**

Please see Attachment C.

**5.** ACC does not seek to provide operator-assisted services to traffic aggregators as defined in Administrative Case No. 330.

**ACC Telecommunications, LLC**

By: 

Its: **Director External Affairs**

ATTACHMENT B

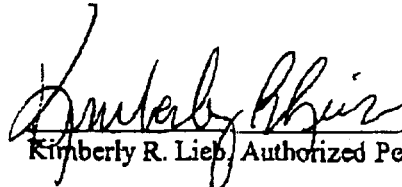
**CERTIFICATE OF FORMATION  
OF  
ACC TELECOMMUNICATIONS, LLC**

The undersigned, an authorized natural person, for the purpose of forming a limited liability company, under the provisions and subject to the requirements of the State of Delaware (particularly Chapter 18, Title 6 of the Delaware Code and the acts amendatory thereof and supplemental thereto, and known, identified, and referred to as the "Delaware Limited Liability Company Act"), hereby certifies that:

FIRST: The name of the limited liability company (hereinafter called the "limited liability company") is:

ACC Telecommunications, LLC

SECOND: The address of the registered office and the name and the address of the registered agent of the limited liability company required to be maintained by Section 18-104(a) of the Delaware Limited Liability Company Act are Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808 County of New Castle.

  
\_\_\_\_\_  
Kimberly R. Lieb, Authorized Person

COMMONWEALTH OF KENTUCKY  
TREY GRAYSON  
SECRETARY OF STATE



APPLICATION FOR CERTIFICATE OF AUTHORITY

Pursuant to the provisions of KRS Chapter 275, the undersigned hereby applies for authority to transact business in Kentucky on behalf of the limited liability company named below and for that purpose submits the following statements:

- The company is  a limited liability company (LLC).  
 a professional limited liability company (PLLC).
- The name of the limited liability company is  
ACC Telecommunications, LLC
- The name of the limited liability company to be used in Kentucky is  
ACC Telecommunications, LLC  
(if "real name" is unavailable for use)
- Delaware is the state or country of organization.
- January 2, 2001 is the date of organization and, if the limited liability company has a specific date of dissolution, the latest date upon which the limited liability company is to dissolve is N/A
- The street address of the office required to be maintained in the state of formation or, if not so required, the principal office address is  
5619 DTC Parkway, #800 Greenwood Village CO 80111  
Street City State Zip Code
- The names and usual business addresses of the current managers, if any, are as follows:  

<u>AC Telecommunications Holdings, LLC</u>	<u>5619 DTC Parkway, #800, Greenwood Village, CO 80111</u>
<small>Name</small>	<small>Address</small>
_____	_____
<small>Name</small>	<small>Address</small>

  
(Attach a continuation, if necessary)
- The street address of the registered office in Kentucky is  
421 West Main Street, Frankfort, KY 40601  
Street City State Zip Code  
and the name of the registered agent at that office is  
Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company
- This application will be effective upon filing, unless a delayed effective date and/or time is specified:  
N/A  
(Delayed effective date and/or time)

I certify that, as of the date of filing this application, the above-named limited liability company validly exists as a limited liability company under the laws of the jurisdiction of its formation.

ACC TELECOMMUNICATIONS, LLC  
By: ACC Telecommunications Holdings, LLC  
By: ACC Operations, Inc. Patty Conroy  
Signature  
Patty Conroy, Assistant Secretary  
Type or Print Name & Title

Date: August 12, 20 04

I, Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company, consent to serve as the registered agent on behalf of the limited liability company.  
Type or print name of registered agent

By: \_\_\_\_\_  
Signature of Registered Agent  
\_\_\_\_\_  
Type or Print Name & Title

COMMONWEALTH OF KENTUCKY  
TREY GRAYSON  
SECRETARY OF STATE



CERTIFICATE OF ASSUMED NAME

This certifies that the assumed name of  
Adelphia

[Name under which the business will be conducted]

has been adopted by ACC Telecommunications, LLC

[Real name - KRS 365.015(1)]

which is the "real name" of [YOU MUST CHECK ONE]

a Domestic General Partnership

a Foreign General Partnership

a Domestic Registered Limited Liability Partnership

a Foreign Registered Limited Liability Partnership

a Domestic Limited Partnership

a Foreign Limited Partnership

a Domestic Business Trust

a Foreign Business Trust

a Domestic Corporation

a Foreign Corporation

a Domestic Limited Liability Company

a Foreign Limited Liability Company

a Joint Venture

organized and existing in the state or country of Delaware, and whose address is

5619 DTC Parkway, Suite 800

Greenwood Village

CO

80111

Street address, if any

City

State

Zip Code

The certificate of assumed name is executed by  
ACC Telecommunications, LLC, By: ACC Telecommunications Holdings, LLC,  
as its sole member, By: ACC Operations, Inc., as its sole member

By: Kathy L. Waterman

Signature

Kathy L. Waterman, Assistant Secretary

Print or type name and title

August 12, 2004

Date

Signature

Print or type name and title

Date

ATTACHMENT C

ATTACHMENT C

NOTARIZED STATEMENT OF MARIA G. ARIAS

I, Maria G. Arias, am an officer of ACC Telecommunications LLC, d/b/a Adelphia ("ACC").

ACC recently discovered that an affiliate entered into an agreement to provide high speed point-to-point dedicated data capacity to one school district (Madison County Schools) in Kentucky. These services are non-switched data services only; no voice services are to be provided. Services for the district were installed and activated on August 27, 2004, so that the schools could have services for the start of the school year. Although services to Madison County Schools will be provided by ACC on a going-forward basis, neither ACC nor its affiliate have billed or received any monies for the services to this customer. Other than the foregoing situation with Madison County Schools, ACC has not provided or collected for intrastate service in Kentucky prior to filing the attached Notice of Intent.

I verify under penalty of perjury that the foregoing is true and correct.

Maria G. Arias

[Name]

VP - Law + Gov't Affairs

[Title]