

NORTH CAROLINA
RURAL ELECTRIFICATION AUTHORITY
RALEIGH

DOCKET NO. TMC 5, Sub 1

BEFORE THE NORTH CAROLINA RURAL ELECTRIFICATION AUTHORITY

In the Matter of

Petition of Time Warner Cable Information)
Services (North Carolina), LLC for Arbitration)
Pursuant to Section 252(b) of the Communications)
Act of 1934, as Amended, to Establish an)
Interconnection Agreement with)
Star Telephone Membership Corporation)

AND

ORDER

Petition of Time Warner Cable Information)
Services (North Carolina), LLC to Terminate)
Star Telephone Membership)
Corporation's Rural Telephone Company)
Exemption Pursuant to Section 251(f)(1) of the)
Communications Act of 1934, as Amended)

BY THE NORTH CAROLINA RURAL ELECTRIFICATION AUTHORITY
("Authority"):

On January 31, 2012, the Authority accepted and adopted the Recommended Order Terminating Phase I of Proceeding without modification as the Final Decision of the Authority. The Order adopted by the Authority stated that Phase I of the Proceeding was terminated and that the parties should proceed to Phase II, arbitration.

On February 29, 2012, prior to beginning the Phase II arbitration, Star Telephone Membership Corporation ("Star") filed a petition pursuant to 47 UCS §251(f)(2). ("Star's Petition")

On March 23, 2012, Time Warner Cable Information Services (North Carolina) ("TWCIS (NC)") filed a Motion to Dismiss Star's Petition.

On March 28, 2012, the Authority issued an Order consolidating TWCIS (NC)'s Petition for Arbitration with Star's Section 251(f)(2) Petition, and TWCIS (NC)'s Motion, before proceeding to Phase II of the Arbitration. That Order further stated

that "The hearing/arbitration officer shall submit a recommended decision to the Authority as to Star's Petition, TWCIS (NC)'s Motion to Dismiss, and any response filed and as to whether to proceed to Phase II. The Authority will then allow the parties to file exceptions to that recommendation and will provide a time for oral argument before the Authority".

On April 23, 2012 Star TMC filed a Response to TWCIS's Motion and TWCIS filed a Reply to Star TMC's Response on May 7, 2012. On August 23, 2012, an oral argument was held which was heard by Arbitrator Jo Anne Sanford.

On October 25, 2012, Arbitrator Sanford issued a Recommended Order "Granting TWCIS (NC)'s Motion to Dismiss".

BY THE AUTHORITY:

Pursuant to the Authority's Arbitration Policies for Telecommunications Interconnection Agreements adopted May 16, 2005, the Authority may request objections to or comments on any recommended decisions issued by an arbitrator.

IT IS, THEREFORE, ORDERED as follows:

1. That not later than November 26, 2012, either party to the arbitration may file objections to or comments on the Recommended Decision filed on October 25, 2012. Said objections or comments shall not exceed thirty (30) typed double-spaced pages. The Authority will not consider the objections or comments of any party who exceeds this page limitation.
2. That the parties shall have twenty-five (25) days from the filing of the objections or comments filed pursuant to paragraph 1 above in which to file responses to those comments or objections. Said response shall not exceed twenty (20) typed double-spaced pages. The Authority will not consider the objections or comments of any party who exceeds this page limitation.
3. That the parties shall have twenty (20) days from the filing of any response filed pursuant to paragraph 2 above in which to file replies to those responses. Said reply shall not exceed ten (10) typed double-spaced pages. The Authority will not consider the objections or comments of any party who exceeds this page limitation.
4. That with respect to any objection, comment, or response filed pursuant to paragraphs 1 and 2 above, the parties shall provide with its response an executive summary of not more than three typed double-spaced pages containing a clear and concise statement of its objection, comment, or response. The Authority will not consider the objections, comments, or

responses of any party who has not submitted an executive summary or who has not submitted an executive summary in substantial compliance with the above requirements.

5. That the parties submitting objections, comments, responses, or replies on the Recommended Decision shall also file those objections, comments, responses, or replies along with the executive summary on a CD saved in Microsoft Word along with an electronic version filed with this Authority.
6. The Authority will schedule an oral argument before rendering a final decision and a date for that oral argument along with a procedural schedule will be provided to the Parties at a later time.

IT IS SO ORDERED.

ISSUED BY THE ORDER OF THE AUTHORITY.

This the 31st day of October, 2012.

The North Carolina Rural
Electrification Authority

A handwritten signature in cursive script, appearing to read "Frances Liles", written over a horizontal line.

Frances Liles
Administrator

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing ORDER has been served to all addressees listed below by depositing same, postage prepaid, in the U.S. Mail and via electronic mail this the 31st day of October, 2012.

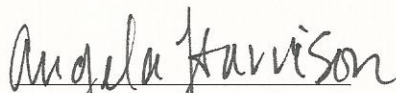
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This 31st day of October, 2012.

The North Carolina Rural
Electrification Authority


Angela Harrison