



# PUBLIC NOTICE

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**DA 04-3786**  
**Released: November 30, 2004**

## NOTICE OF STREAMLINED DOMESTIC 214 APPLICATION GRANTED

**WC Docket No. 04-397**

The application listed in this notice has been granted pursuant to the Commission's streamlined procedures for domestic section 214 transfer of control applications. 47 C.F.R. § 63.03. As discussed below, the Wireline Competition Bureau has determined that grant of this application serves the public interest.<sup>1</sup> For purposes of computation of time for filing a petition for reconsideration or application for review, or for judicial review of the Commission's decision, the date of "public notice" shall be the release date of this notice.<sup>2</sup>

Domestic Section 214 Application Filed for Acquisition of Assets of Central Texas Technologies, L.P., by Time Warner Cable Information Services, WC Docket No. 04-397, DA 04-3397 (rel. Oct. 26, 2004).

**Effective Date of Grant:** 11/26/04

On October 26, 2004, the Wireline Competition Bureau issued a public notice seeking comment on the transfer of certain assets of Central Texas Technologies, L.P. ("CTT") to Time Warner Cable Information Services (Texas), L.P., d/b/a Time Warner Cable ("TWCIS").<sup>3</sup>

The Commission received one comment in opposition to the proposed transfer of control requesting that the Commission either reject the application or remove it from streamlined treatment until certain concerns were resolved.<sup>4</sup> Commenter indicates that TWCIS will offer

<sup>1</sup> *Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations*, 17 FCC Rcd 5517, 5529 (2002), ¶ 22.

<sup>2</sup> *Id.*; see 47 C.F.R. § 1.4 (Computation of time).

<sup>3</sup> Domestic Section 214 Application Filed For Acquisition Of Assets Of Central Texas Technologies, L.P., By Time Warner Cable Information Services, WC Docket No. 04-397, DA 04-3397 (rel. Oct. 26, 2004).

<sup>4</sup> See Correspondence from Kevin Foley, WC Docket No. 04-397, filed Nov. 4, 2004, at 1 ("Commenter").

only digital phone service to replace CTT's existing services; customers will be forced to take digital service; and customers will not have the same capabilities currently available with CTT's service.<sup>5</sup>

The Applicants respond that, although TWCIS is offering its new, Voice over Internet Protocol-based product to existing CTT customers, it does not at this time intend to discontinue the existing service offered to CTT customers.<sup>6</sup> In addition, no existing CTT customer will be required to switch to TWCIS' digital service.<sup>7</sup>

After careful consideration of the record in this proceeding, we are satisfied that the proposed transaction is in the public interest and should be routinely granted.

For further information, please contact Tracey Wilson-Parker, at (202) 418-1394, or Terri Natoli, Competition Policy Division, Wireline Competition Bureau, at (202) 418-1574.

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<sup>5</sup> Specifically, Commenter claims that TWCIS' service will only allow customers to have one telephone number, forcing those with multiple lines to lose their other numbers. Commenter also notes that the digital service to be offered will not work with dial-up modems. Commenter at 1.

<sup>6</sup> See Motion of Time Warner Cable Information Services (Texas), L.P. to Accept Late-Filed Comments, WC Docket No. 04-397 (filed Nov. 23, 2004). We grant TWCIS' motion because it provides us a more complete record upon which to base our decision on this application without prejudicing any party. See Time Warner Cable Reply Comments, WC Docket No. 04-397 (filed Nov. 23, 2004) at 1 ("TWCIS Reply"). TWCIS explains that until its digital telephone service offers features that are substantially similar to CTT's existing offering, including a multi-line offering, TWCIS does not intend to discontinue the existing CTT service. The Applicants explain further that TWCIS will notify affected customers of their ability to choose to take digital telephone service, and will include in that notice information regarding TWCIS' plans to eventually discontinue the existing CTT service, once TWCIS' digital service can offer customers features and functionalities substantially similar to those they enjoy today. TWCIS Reply at 1-2.

<sup>7</sup> TWCIS Reply at 1.