

**THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS**

Before Commissioners:                    Shari Feist Albrecht  
   Jay Scott Emler  
   Dwight D. Keen

In the Matter of an Investigation to Determine    )  
the Assessment Rate and the Affordable Local    )  
Service Rate for Rate-of-Return Regulated    ) Docket No. 17-GIMT-008-GIT  
Carriers for the Twenty-First Year of the        )  
Kansas Universal Service Fund, Effective        )  
March 1, 2017.   )

**ORDER APPROVING ALLOCATION METHODOLOGY FACTORS UTILIZED BY  
COX KANSAS TELCOM, LLC**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed its files and record and being duly advised in the premises, the Commission makes the following findings:

1. Pursuant to K.S.A. 66-2008(a), the Commission requires “every telecommunications carrier, telecommunications public utility and wireless telecommunications service provider that provides intrastate telecommunications services and, to the extent not prohibited by federal law, every provider of interconnected voice over internet protocol (VoIP) service, as defined by 47 C.F.R. 9.3 (October 1, 2005), to contribute to the [Kansas Universal Service Fund (KUSF)] on an equitable and nondiscriminatory basis.” On December 27, 1996, in Docket No. 94-GIMT-478-GIT, the Commission declared that the contribution would be an annual assessment on each provider’s intrastate retail revenues.

2. Pursuant to the Commission’s Order of January 24, 2012 and Amended Order of February 1, 2012, issued in Docket No. 12-GIMT-168-GIT, wireless carriers and interconnected VoIP providers that choose not to utilize the Federal Communications Commission’s (FCC) Safe

Harbor percentage to allocate intrastate and interstate Kansas revenues must provide certain information to the Commission. The Wireless Carrier or VoIP provider must inform the Commission whether it uses the traffic study or direct assignment methodology to assign revenues between jurisdictions. The Wireless Carrier or VoIP provider must provide the jurisdictional percentages (also known as “traffic factors”) derived from those methodologies at least annually and file them in the annual KUSF docket. Additionally, the Wireless Carrier or VoIP provider must provide an affidavit from an officer of the company attesting that it uses the inverse of the intrastate KUSF revenue percentage for interstate Federal Universal Service Fund (FUSF) remittance purposes.

3. On February 28, 2018, Cox Kansas Telcom, LLC (Cox), utilizing the traffic study methodology, filed an update of the traffic factor percentages used for KUSF, and inversely for FUSF purposes, for KUSF Year 21, during the period April 1, 2017 through March 31, 2018. Subsequently, the Commission Staff contacted Cox requesting that the company provide the intrastate traffic factor used for March 2017. On May 31, 2018, Cox filed a Supplemental Affidavit executed by Percival Kirk providing the intrastate factor, as well as the interstate factor utilized by the company for March 2017.

4. The Commission finds Cox’s filings appropriate and approves the company’s use of the traffic study factors cited by the company for KUSF remittance purposes.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. Cox Kansas Telcom, LLC’s allocation methodology and intrastate traffic percentages filed February 28, 2018, and May 31, 2018 are approved.

B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).<sup>1</sup>

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of issuing such further order, or orders, as it may deem necessary.

**BY THE COMMISSION IT IS SO ORDERED.**

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 06/12/2018



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Lynn M. Retz  
Secretary to the Commission

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<sup>1</sup> K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

**CERTIFICATE OF SERVICE**

17-GIMT-008-GIT

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on 06/13/2018.

SUSAN B CUNNINGHAM, ATTORNEY  
CEBRIDGE TELECOM KS, LLC  
D/B/A SUDDENLINK COMMUNICATIONS  
DENTONS US LLP  
7028 SW 69TH ST  
AUBURN, KS 66402-9421  
Fax: 816-531-7545  
susan.cunningham@dentons.com

OTTO NEWTON, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD ROAD  
TOPEKA, KS 66604  
Fax: 785-271-3167  
o.newton@kcc.ks.gov  
\*\*\*Hand Delivered\*\*\*

PERCIVAL KIRK, MANAGER/SENIOR VICE PRESIDENT  
COX KANSAS TELCOM, L.L.C.  
D/B/A COX COMMUNICATIONS, INC  
6301 WATERFORD BLVD STE 200  
OKLAHOMA CITY, OK 73118-1161

/S/ DeeAnn Shupe  
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DeeAnn Shupe