

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

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

In the Matter of Certification of Compliance    )  
with Section 254(e) of the Federal            ) Docket No. 18-GIMT-394-GIT  
Telecommunications Act of 1996 and            )  
Certification of Appropriate Use of Kansas    )  
Universal Service Fund Support.                )

**ORDER GRANTING INTERVENTION TO  
THE CITIZENS' UTILITY RATEPAYER BOARD**

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 records and being duly advised in the premises, the Commission makes the following findings:

1.        On April 5, 2018, the Commission issued its *Order Opening Docket* in this docket for the purposes of receiving information and certification to ensure compliance with Section 254(e) of the Federal Telecommunications Act of 1996 and ensure appropriate use of federal and Kansas Universal Service Fund support.

2.        The Citizens' Utility Ratepayer Board ("CURB") filed a *Petition to Intervene* with the Commission on April 11, 2018, requesting leave to intervene in this proceeding. In its Petition, CURB cites its statutory authority under K.S.A. 66-1223 et seq., to intervene and represent the interests of Kansas residential and small commercial ratepayers in utility proceedings before the Commission. CURB states that "[t]he rates paid and the service received by residential and small commercial ratepayers may be substantially affected by any Commission order or activity in this proceeding."

3. The Commission has broad discretion to grant a petition for intervention if it is in the interests of justice, if the intervention will not impair the orderly and prompt conduct of the proceeding, and if the party has stated facts demonstrating its legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding. K.S.A. 77-521(b); K.A.R. 82-1-225(b). At any time during a proceeding, the Commission may impose limitations on an intervener's participation. K.S.A. 77-521(c).

4. The Commission finds and concludes that CURB has met the requirements of K.A.R. 82-1-225 and should be granted intervention. CURB will be added to the mailing list, service of pleadings, communications, and correspondence should be delivered to counsel of record, as follows:

David W. Nickel #11170  
Thomas J. Connors #27039  
Todd E. Love #13445  
Citizens' Utility Ratepayer Board  
1500 SW Arrowhead Road  
Topeka, KS 66604  
(785) 271-3200

5. In addition to the counsel of record for CURB listed above, the service of notices, pleadings, and correspondence should be delivered to CURB's other designees:

Shonda Rabb  
Officer Manager  
Citizens' Utility Ratepayer Board  
1500 S.W. Arrowhead Road  
Topeka, KS 66604  
Email: [sd.rabb@curb.kansas.gov](mailto:sd.rabb@curb.kansas.gov)

Della Smith  
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1500 S.W. Arrowhead Road  
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Email: [d.smith@curb.kansas.gov](mailto:d.smith@curb.kansas.gov)

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

A. The Citizens' Utility Ratepayer Board is granted intervention in this proceeding. Counsel of record for the petitioners, and its other designees, shall receive service of all pleadings in this matter, as set forth above.

B. The parties have fifteen (15) days, plus three (3) days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 77-529(a)(1).

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, Chairman; Emler, Commissioner; Keen, Commissioner

Dated: 05/17/2018



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Lynn M. Retz  
Secretary to the Commission

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## CERTIFICATE OF SERVICE

18-GIMT-394-GIT

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 05/18/2018.

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/s/ DeeAnn Shupe  
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