

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the Matter of the Southwestern Bell)
Telephone Company, LLC d/b/a AT&T) Docket No. 25-SWBT-186-TAR
Kansas Access Service Tariff Revision.)

ORDER APPROVING TARIFF REVISIONS

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination of Southwestern Bell Telephone Company, LLC d/b/a/ AT&T Kansas (AT&T) request to discontinue rate adjustments for Shared Use of Switched Access services from its Access Service Tariff. Having examined its files and record, and being duly advised in the premises, the Commission finds and concludes as follows:

1. On October 14, 2024, AT&T filed a request to revise its Access Service Tariff, Section 6, 6th Revised Sheet 3, for the seventh time, to discontinue rate adjustments for Shared Use of Switched Access and Special Services Access services. Shared Use is the provisioning of Switched Access and Special Access services through a common interface over the same DS1 or DS3 transmission. AT&T will discontinue rate adjustments for Shared Use facilities where the Switched Access and Special Access rates are adjusted if they were “shared use.” AT&T represents that the three customers affected by this change can continue shared services where facilities will be rated as special access. Specifically, AT&T requests that the current Section 6, 6th Revised Sheet 3 be replaced with the Section 6, 7th Revised Sheet 3, thereby discontinuing rate adjustments for Shared Use of Switched Access and Special Access Service.

2. K.S.A. 66-1,190 requires that telecommunications public utilities doing business in Kansas shall:

... publish and file with the commission copies of all schedules of rates, joint rates, tolls, charges, classifications, and divisions of rates affecting Kansas traffic, either state or interstate...and...the commission shall have power to prescribe reasonable rules and regulations regarding the form and filing of all schedules, tariffs and classifications of all rates, joint rates, tolls and charges and all rules and regulations of such telecommunications public utilities.

The Commission derives its authority to review Local Exchange Carrier tariffs from K.S.A. 66-117(d), which reads in part:

...(d) Except as provided in subsection (c), no change shall be made in any rate, toll, charge, classification or schedule of charges or joint rates, or in any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, without the consent of the commission.

3. The Commission maintains authority to require telecommunications public utilities to maintain rates that are not unjust or unreasonably discriminatory.¹ Accordingly, the Commission conducts its investigation regarding the reasonableness of AT&T's request to revise Section 6, 6th Revised Sheet 3 for the seventh time to its tariff language to discontinue rate adjustments for Shared Use of Switched Access and Special Services Access services.

4. The Commission Staff (Staff) issued a Report and Recommendation dated October 29, 2024, which is attached hereto and made a part hereof by reference, advising the Commission to grant the tariff revisions proposed by AT&T.

5. The Commission adopts Staff's analysis and recommendations as stated in the Report and Recommendation and finds that AT&T's request should be granted. In conjunction with the request, the Commission finds that the request is effective upon the issuance of this Order.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. AT&T's request filed in this matter on October 14, 2024, is hereby granted with the effective tariff date occurring on the issuance of this Order.

¹ K.S.A. 66-1,189.

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).²

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

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 11/14/2024



Lynn M. Retz
Executive Director

PH

² K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

TO: Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

FROM: Hemant Bhagat, Senior Telecommunications Analyst
Steve Garrett, Deputy Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: October 29, 2024

RE: Docket No. 25-SWBT-186-TAR
In the Matter of the Southwestern Bell Telephone Company, LLC d/b/a AT&T
Kansas Access Service Tariff Revision.

EXECUTIVE SUMMARY:

On October 14, 2024, Southwestern Bell Telephone Company, LLC d/b/a AT&T Kansas (AT&T Kansas) filed an application requesting the Kansas Corporation Commission (Commission) to approve revision to its Shared use of the Switched Access and Special Access service tariff. This revision mirrors AT&T Kansas's Access Service Tariff with the Company's FCC Tariff #1.

The filing includes revision to AT&T Kansas's Access Service Tariff impacting Section 6 – 6th Revised Sheet 3. Commission action on this matter is required no later than Thursday, November 14, 2024, to comply with K.S.A. 66-2007(b). The Company's proposed effective date is October 15, 2024; however, the Commission cannot retroactively approve a tariff revision; hence, this revision is effective only upon the issuance of an order.

Staff recommends approval of the Application.

BACKGROUND:

K.S.A. 66-117(c), in part, states:

The commission shall not delay the effective date of the proposed change in rate, joint rate, toll, charge or classification or schedule of charges, or in any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, more than 240 days beyond the date the public utility or common carrier filed its application requesting the proposed change. If the commission does not suspend the proposed schedule within 30 days of the date the same is filed by the public utility or common carrier, such

proposed schedule shall be deemed approved by the commission and shall take effect on the proposed effective date.

The Commission derives its authority to review Local Exchange Carrier tariffs from K.S.A. 66-117(d), which states in part:

(d) Except as provided in subsection (c), no change shall be made in any rate, toll, charge, classification or schedule of charges or joint rates, or in any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, without the consent of the commission.

Pursuant to K.S.A. 66-1,189, the Commission must review rates and terms for every telecommunication public utility to ensure they are “just and reasonable” and the classifications, rules, and regulations regarding the services are not unduly discriminatory or preferential.

Additionally, K.S.A. 66-1,190 requires every public utility doing business in Kansas over which the Commission has control to publish and file with the Commission copies of all schedules of rates, joint rates, tolls, charges, classifications and divisions of rates affecting Kansas traffic, either state or interstate. The Commission has the power to prescribe reasonable rules and regulations regarding the form and filing of all schedules, tariffs and classifications of all rates, joint rates, tolls and charges, and all rules and regulations of such telecommunications public utilities as the Commission determines reasonable and appropriate.

ANALYSIS:

AT&T Kansas seeks Commission approval to discontinue rate adjustments for Shared Use of Switched Access and Special Access services. Shared Use is the provisioning of Switched Access and Special Access services through a common interface over the same DS1 or DS3 transmission. The Company will discontinue rate adjustments for Shared Use facilities where the Switched Access and Special Access rates are adjusted if they were “shared use.” Going forward these facilities will be rated as Special or Switched but will not be adjusted as Shared use. AT&T Kansas states that the three customers affected by this change can continue shared services where facilities will be rated as special access.

Based upon its review, Staff has determined the Company’s revisions to delete language to discontinue rate adjustments for Shared Use of Switched Access and Special Access services that is no longer offered, will have minimal impact upon Kansas customers; therefore, the revisions are just and reasonable.

RECOMMENDATION:

Staff recommends the Commission approve AT&T Kansas’s Access Service Tariff revision, effective upon the date of the issuance of an Order.

CERTIFICATE OF SERVICE

25-SWBT-186-TAR

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 11/14/2024.

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/S/ KCC Docket Room

KCC Docket Room