

**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 the Application of United                      )  
Telephone Companies of Kansas d/b/a                      )  
CenturyLink Filing Tariff Revisions to Delete                      ) Docket No. 19-UTDT-144-TAR  
IntraLATA Wide Area Telecommunications                      )  
Services (WATS).                      )

**ORDER APPROVING TARIFF REVISIONS**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and record, and being duly advised in the premises, the Commission finds and concludes as follows:

1.        On October 12, 2018, United Telephone Companies of Kansas d/b/a CenturyLink (CenturyLink) filed a request to make tariff revisions in its General Exchange Tariff to delete IntraLATA Wide Area Telecommunications Services (WATS).

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 shall furnish the commission copies of all rules and regulations and contracts between such telecommunications public utilities pertaining to any and all jurisdictional services to be rendered by such telecommunications public utilities.

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

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. CenturyLink has elected price cap regulation under K.S.A. 66-2005(b), but the Commission maintains authority to determine whether or not the "...any regulation, practice or act whatsoever affecting or relating to any service performed ... by [a] ... telecommunications public utility ... is in any respect unreasonable, unfair, unjust, unreasonably inefficient or insufficient ...."<sup>1</sup> Accordingly, the Commission conducts its investigation regarding the reasonableness of the CenturyLink proposal to eliminate its WATS service.

4. On October 25, 2018, the Commission Staff (Staff) submitted a Report and Recommendation, advising the Commission to grant the tariff revisions proposed by CenturyLink. WATS was a service between a wide area service access line and other exchange and toll customers in an area, which was offered at a flat rate. The service has been supplanted by modern intelligent networks and no longer remains in demand. The Staff has noted that CenturyLink no longer has customers utilizing this service and does not envision any demand for the service. The Staff indicates deleting the service from the CenturyLink General Exchange Tariff will not adversely affect any current subscribers for the service or other customers of the Company.

5. The Commission adopts Staff's analysis and recommendations of October 25, 2018, as stated in the Report and Recommendation, which is attached hereto and made a part hereof by reference, and finds that the CenturyLink request should be granted. In conjunction with the request, CenturyLink has provided tariff revisions to accomplish the proposed change of service to be placed in effect by November 12, 2018, which the Commission authorizes with the issuance of this Order.

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<sup>1</sup> K.S.A. 66-1,192.

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

A. The United Telephone Companies of Kansas d/b/a CenturyLink request filed in this matter on October 12, 2018, is hereby granted with the effective tariff date occurring on November 12, 2018.

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>2</sup>

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.**

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 11/06/2018



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Lynn M. Retz  
Secretary to the Commission

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<sup>2</sup> K.S.A. 66-118b; K.S.A. 77-503 (c) and K.S.A. 77-531(b).

# STATE OF KANSAS



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## REPORT AND RECOMMENDATION UTILITIES DIVISION

**TO:** Chair Shari Feist Albrecht  
Commissioner Jay Scott Emler  
Commissioner Dwight D. Keen

**FROM:** Kelly Mabon, Senior Telecommunications Analyst  
Christine Aarnes, Chief of Telecommunications  
Jeff McClanahan, Director of Utilities

**DATE:** October 25, 2018

**SUBJECT:** Docket No. 19-UTDT-144-TAR  
In the Matter of the Application of United Telephone Companies of Kansas d/b/a CenturyLink Filing Tariff Revisions to Delete IntraLATA Wide Area Telecommunications Services (WATS).

### **EXECUTIVE SUMMARY:**

On October 12, 2018, United Telephone Companies of Kansas d/b/a CenturyLink (CenturyLink) filed a request to make tariff revisions in its General Exchange Tariff. Staff recommends Commission approval of this Application.

The Commission action date is **Sunday, November 11, 2018.**

### **BACKGROUND:**

The Kansas Corporation 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.

In addition, K.S.A. 66-1,190 requires every public utility doing business in Kansas 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.

Pursuant to K.S.A. 66-2005(g), and in regards to local exchange carriers that elected to have their rates regulated pursuant to price caps under K.S.A. 66-2005(b), the Commission must review proposed rates for services to ensure that when compared to the basket in which those services belong, the rates are collectively at or below the basket's price cap based on the formula approved by the Commission. The proposed rates are subject to a price floor under K.S.A. 66-2005(k). The rates must also be "just and reasonable" pursuant to K.S.A. 66-1,189.

**ANALYSIS:**

This filing deletes intraLATA Wide Area Telecommunications Services (WATS). WATS service furnishes facilities for dial type telephone communication between a wide area service access line and other exchange and toll customers in the area.

Telecommunications carriers must adapt to customer needs. CenturyLink states in its filing that there are no customers currently subscribed to this service, and it does not anticipate demand for this service. This change will have no adverse effect on customers as the Company has no current subscribers for the service. Staff recommends approval of this Application.

**RECOMMENDATION:**

Staff recommends the Commission approve this Application to be effective on November 12, 2018, as requested by the Company.

## CERTIFICATE OF SERVICE

19-UTDT-144-TAR

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 11/06/2018.

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/S/ DeeAnn Shupe  
DeeAnn Shupe

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