

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

Before Commissioners: Mark Sievers, Chairman  
Thomas E. Wright  
Shari Feist Albrecht

In the Matter of the Application of )  
Valu-Net, LLC Filing for Kansas ) Docket No. 13-VNLT-556-VSA  
Video Service Authorization. )

**ORDER APPROVING VIDEO SERVICE AUTHORIZATION**

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 records, and being duly advised in the premises, the Commission finds and concludes as follows:

1. On February 28, 2013, Valu-Net, LLC (Valu-Net) filed an Initial Application (Application) for state-issued Video Service Authorization (VSA), as authorized by K.S.A. 2012 Supp. 12-2023 and K.A.R. 82-15-1.
2. The Commission Staff (Staff) reviewed Valu-Net's Application and on March 18, 2013, filed its Report and Recommendation dated March 13, 2013, recommending approval of Valu-Net's Application requesting authorization to serve the City of Emporia, in Lyon County, Kansas. Staff indicates that in accordance with K.S.A. 2012 Supp. 12-2023(a), Commission action in this matter is required not later than March 30, 2013.
3. Staff's Report and Recommendation confirms that Valu-Net is properly registered with the Kansas Secretary of State's office as a Kansas limited liability company and that the company's status with the Secretary's office is *active and in good standing*. Staff indicates that Valu-Net's principal place of business is 2914 West Highway 50, Suite A, Emporia, Kansas, and that the company has provided in its Application the company's key personnel contacts for application and regulatory matters.

4. According to Staff, Valu-Net is registered with the FCC as a Cable System Operator, as follows:

<u>Community Served:</u>	<u>CUID#:</u>
The City of Emporia, Kansas	KS0778

By initialing, Valu-Net has agreed to comply with all applicable federal and state statutes and regulations and agrees to comply with all lawful and applicable municipal regulations regarding the use and occupation of public rights-of-way in the delivery of video services, including the police powers of the municipalities in which the service is delivered. Application at item #5.

5. Valu-Net's proposed service area is the City of Emporia, being more particularly described in an eight-page attachment to the company's Application, and which description is incorporated in this Order by reference. Staff indicates that an electronic version of Valu-Net's service area description has been provided electronically in a format compatible with the Commission's mapping system. Valu-Net states that it will be able to provide service to 100% of the households encompassed in its service area within five (5) years of the date granting its Application. For ease of future reference, Staff identifies Valu-Net's proposed service area footprint as EMPR-01-VNLT-01.

6. Staff recommends Commission Approval of Valu-Net's Application with a service area footprint to be identified and known as Emporia, EMPR-01-VNLT-01.

7. The Commission concurs with Staff's analysis and recommendation and finds that Valu-Net's Application should be granted approving the company's requested service area footprint to include the City of Emporia, Kansas.

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

A. The Application of Valu-Net, LLC requesting state-issued Video Service Authorization is hereby granted and the requested service area footprint including the City of

Emporia, Kansas, is hereby approved, which shall be known and identified as Emporia, EMPR-01-VNLT-01. The Video Service Authorization granted herein shall become effective as of the date of this Order.

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. 2012 Supp. 77-529.

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.**

Sievers, Chmn.; Wright, Com.; Albrecht, Com.

Dated: MAR 20 2013



**ORDER MAILED MAR 21 2013**

Patrice Petersen-Klein  
Executive Director

oan

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Mark Sievers, Chairman  
Thomas E. Wright, Commissioner

Sam Brownback, Governor

**STAFF REPORT AND RECOMMENDATION  
UTILITIES DIVISION**

STATE CORPORATION  
COMMISSION

**TO:** Chairman Mark Sievers  
Commissioner Thomas E. Wright  
Commissioner Shari Feist Albrecht

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

MAR 14 2013

PATRICK J. MCCORMACK  
EXECUTIVE DIRECTOR

**DATE:** March 13, 2013

**DATE SUBMITTED TO EXECUTIVE DIRECTOR:** 3/14/13

**DATE SUBMITTED TO LEGAL:** 3/15/13

**DATE SUBMITTED TO COMMISSIONERS:** 3/18/13

**SUBJECT:** Docket No. 13-VNLT-556-VSA  
In the Matter of the Application of Valu-Net, LLC Filing for Kansas Video  
Service Authorization.

**EXECUTIVE SUMMARY:**

On February 28, 2013, Valu-Net, LLC filed an Initial Application for state-issued Video Service Authorization, as authorized by K.S.A. 12-2023 and K.A.R. 82-15-1. Staff recommends approval of this Application.

Per K.S.A. 12-2023(a), Commission action in this matter is required not later than **Saturday, March 30, 2013.**

**ANALYSIS:**

The Applicant has identified its principal place of business as 2914 West Highway 50, Suite A, P.O. Box 924, Emporia, KS 66801, and provided the Company's key personnel contacts for Regulatory and Application matters.

The Applicant is properly registered with the Kansas Secretary of State's office as a Limited Liability Company. Its current status with the Secretary's office is Active and in Good Standing.

The Applicant is registered with the FCC as a Cable System Operator, as follows:

Community Served    CUID #  
The City of Emporia    KS0778

By initialing, the Applicant has agreed to comply with all applicable federal and state statutes and regulations and agrees to comply with all lawful and applicable municipal regulations regarding the use and occupation of public rights-of-way in the delivery of video services, including the police powers of the municipalities in which the service is delivered. (Application item #5).

The Applicant is seeking to serve the city of Emporia, Kansas and has provided an 8 page legal description of the territory.

That description is on file with the Commission in this Docket and has been provided electronically in a format compatible with the Commission's mapping system. The Company states that it will be able to provide service to 100% of the households encompassed in that area within 5 years of the date the Commission grants the Application.

For ease of future reference, Staff is identifying<sup>1</sup> the proposed service area footprint, as follows: Emporia, EMPR-01-VNLT-01.

**RECOMMENDATION:**

Staff recommends Commission approval of this Application with a service area footprint to be identified and known as Emporia, EMPR-01-VNLT-01.

cc:     Patrice Petersen-Klein, Executive Director

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<sup>1</sup> For ease of future referencing, staff assigns a four field footprint number using the following convention: ABCD-xx-EFGH-yy, where ABCD is the four character abbreviation of the major city encompassed by the service area, xx is a two digit sequentially assigned number of the provider's service areas, EFGH is the four alpha character company code and yy indicating the version of the company's footprint where 01 is the initial version, 02 the first revision, etc.

IN RE: DOCKET NO. **13-VNLT-556-VSA**

DATE **MAR 20 2013**

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET  
TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
OTTO NEWTON, LITIGATION COUNSEL 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 ***Hand Delivered***		
RICHARD LEE TIDWELL, MANAGING PARTNER VALU-NET LLC 2914 W HWY 50 STE A EMPORIA, KS 66801-5394		

ORDER MAILED **MAR 21 2013**

The Docket Room hereby certified that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.