

**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 Cancellation of All                      )  
Operating Certificates of Convenience                      )                      Docket No. 18-ALCT-386-CCS  
and Authority Previously Granted to                      )                      (CLEC)  
Alec, LLC.                      )

**ORDER CANCELLING CERTIFICATE**

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 March 7, 2018, Alec, LLC submitted a letter request dated March 6, 2018 (Request) requesting that the company's Certificate of Convenience and Authority (Certificate) to provide competitive local exchange (CLEC) service in Kansas be canceled. Alec, LLC's Request states that the company no longer provides telecommunications services in Kansas and has no customers in Kansas.<sup>1</sup>

2.        The Commission's authority to supervise telecommunications public utilities derives from K.S.A. 2017 Supp. 66-1,188. The Commission's authority to certificate and de-certificate public utilities derives from K.S.A. 2017 Supp. 66-131. Pursuant to K.S.A. 2017 Supp. 66-131, the Commission must review all certification and de-certification applications to determine whether the *public convenience* will be promoted by granting the request.

3.        On April 16, 2018, the Commission Staff (Staff) submitted its Report and Recommendation dated April 12, 2018, recommending that the Commission grant Alec, LLC's

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<sup>1</sup>March 6, 2018 Request.

Request and cancel the company's Certificate. According to Staff, the company's Certificate authorizing it to provide CLEC services in Kansas was issued by the Commission on February 9, 2009, in Docket No. 09-ALCT-477-COC. Alec, LLC asserts that it has no customers whose service would be impacted by cancellation of its Certificate and that the company is not currently marketing its services. Staff states that the company is current with regard to Kansas Universal Service Fund payments, Commission assessments, and Annual Report filings. Inasmuch as Alec, LLC has no customers in Kansas, Staff concurs that no customers will be adversely affected by the cancellation of Alec, LLC's Certificate. Concluding, Staff states that it has no concern regarding cancellation of Alec, LLC's Certificate and recommends the Commission grant the company's Request and cancel its CLEC Certificate.<sup>2</sup>

4. The Commission adopts Staff's analysis and recommendation of April 12, 2018, as stated in its Report and Recommendation, which is attached hereto and made a part hereof by reference, and finds that the public convenience will be promoted by granting Alec, LLC's Request and cancelling the company's Certificate.

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

(A). Alec, LLC's Request filed in this matter on March 7, 2018 is hereby granted and the company's Certificate of Convenience and Authority to provide competitive local exchange (CLEC) services in Kansas, pursuant to the Certificate issued February 9, 2009, in Docket No. 09-ALCT-477-COC, is hereby canceled.

(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. 2017 Supp. 77-529(a)(1).

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<sup>2</sup> Report and Recommendation, pages 1 and 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.**

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 04/19/2018

A handwritten signature in cursive script, reading "Lynn M. Retz", written over a horizontal line.

Lynn M. Retz  
Secretary to the Commission

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# STATE OF KANSAS

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SHARI FEIST ALBRECHT, CHAIR | JAY SCOTT EMLER, COMMISSIONER | DWIGHT D. KEEN, COMMISSIONER

## REPORT AND RECOMMENDATION UTILITIES DIVISION

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

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

**DATE:** April 12, 2018

**SUBJECT:** Docket No. 18-ALCT-386-CCS (CLEC)  
In the Matter of the Cancellation of All Operating Certificates of Convenience  
and Authority Previously Granted to Alec, LLC.

### **EXECUTIVE SUMMARY:**

On March 7, 2018, Alec, LLC (Alec) filed a letter asking the Commission to Cease its Certificate of Convenience and Authority to Provide Competitive Local Exchange Service within Kansas. Staff recommends approval of this request.

### **BACKGROUND:**

The Commission derives its authority to supervise telecommunications public utilities from K.S.A. 66-1,188. The Commission derives its authority to certificate and de-certificate public utilities from K.S.A. 66-131.

Pursuant to K.S.A. 66-131, the Commission must review all certification and de-certification applications to determine whether the "public convenience" will be promoted by granting the request.

### **ANALYSIS:**

The Company was provided a Certificate to provide Competitive Local Exchange Services in Kansas on February 9, 2009, in Docket No. 09-ALCT-477-COC.

Alec asserts that there are no customers whose service would be impacted by this cancellation and that it is not currently marketing its services.

Alec is current with regard to Kansas Universal Service Fund payments. The Company is current with regard to Annual Report filings and is current with regard to Commission assessments. The Company has no customers in Kansas so no customers will be impacted with the cancellation of its CLEC Certificate. Staff has no concern with the cancellation of this Certificate.

**RECOMMENDATION:**

As no customers will be adversely affected by this filing, Staff recommends the Commission approve Alec's request to cancel the Certificate of Convenience and Authority to provide Competitive Local Exchange Service within Kansas.

## **CERTIFICATE OF SERVICE**

18-ALCT-386-CCS

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 04/19/2018.

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\*\*\*Hand Delivered\*\*\*

/S/ DeeAnn Shupe  
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DeeAnn Shupe