

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

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

In the Matter of the Application of)
Craw-Kan Telephone Cooperative, Inc.) Docket No. 14-CRKT-080-VSA
Filing for Kansas 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 record, and being duly advised in the premises, the Commission finds and concludes as follows:

1. On October 18, 2018, Craw-Kan Telephone Cooperative, Inc. (Craw-Kan) filed an Amended Application (Application) for state-issued Video Service Authorization (VSA), as authorized by K.S.A. 2017 Supp. 12-2023 and K.A.R. 82-15-1.

2. K.S.A. 2017 Supp. 12-2023 authorizes the Commission to review applications for those entities desiring to provide cable or video services within the State of Kansas. Upon an applicant meeting all application requirements, the Commission will issue the requested VSA.

3. On October 29, 2018, the Commission Staff (Staff) submitted its Report and Recommendation, recommending the Commission grant Craw-Kan's Application requesting to expand its previously granted authority to include the City of Girard, Kansas. An electronic version of the description has been provided in a format compatible with the Commission's mapping system. Staff finds Craw-Kan's Application to be complete and in conformity with K.S.A. 2017 Supp. 12-2023 and K.A.R. 82-15-1. Staff observes that by initialing its Application, Craw-Kan has previously agreed to comply with all 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.¹ Craw-Kan has previously been granted VSA in seven footprint areas in Kansas.

4. Staff's Report and Recommendation confirms that Craw-Kan is registered with the Kansas Secretary of State's office as a Kansas not-for-profit corporation and that its current status with that office is *active and in good standing*.

5. Staff notes that Craw-Kan is registered with the Federal Communications Commission (FCC) as a Cable System Operator. According to Staff, Craw-Kan is properly registered with the Federal Communications Commission (FCC) for its proposed service area and provided the following Community Unit Identification (CUID) information:

<u>Community Served:</u>	<u>CUID#:</u>
Erie	KS0859

6. Utilizing a combination of services, Craw-Kan states that it will pass 100% of the households within their proposed footprint within the required five-year deployment window. By initialing, Craw-Kan has previously agreed that it will not deny access to service to any group of potential residential subscribers because of the income of residents in the local area in which such group resides.²

7. Staff recommends Commission approval of Craw-Kan's Application with its additional service area footprint to be identified and known as Erie, ERIE-08-CRKT-04.

8. The Commission concurs with Staff's analysis and recommendation of October 29, 2018, which Report and Recommendation is attached to the Order and incorporated by reference,

¹ Item #5, Initial Application.

² Initial Application last item.

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, Senior Telecommunications Analyst
Christine Aarnes, Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: October 29, 2018

SUBJECT: Docket No. 14-CRKT-080-VSA
In the Matter of the Application of Craw-Kan Telephone Cooperative, Inc. Filing
for Kansas Video Service Authorization.

EXECUTIVE SUMMARY:

On October 18, 2018, Craw-Kan Telephone Cooperative, Inc. filed an Amended 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, November 17, 2018.**

BACKGROUND:

K.S.A. 12-2023 gives the Commission the authority to review applications for those entities who desire to provide cable service or video service in the state of Kansas.

The Commission must review an application for a video service authorization (VSA) to determine whether:

- 1) The applicant identified the location of its principal place of business and the names of its principal executive officers;
- 2) The applicant has filed or will file all forms required by the Federal Communications Commission (FCC) before offering video service in Kansas;

- 3) The applicant has agreed to comply with all applicable federal and state statutes and regulations;
- 4) The applicant has agreed to comply with all lawful and applicable municipal regulations regarding the use and occupation of public rights-of-way in the delivery of the video service, including the police powers of the municipalities in which the service is delivered; and
- 5) The applicant has described the service area footprint to be served within Kansas and provided the period of time, not to exceed five years, in which the applicant will be capable of providing video service to all households in the service area footprint, and a general description of the type or types of technologies the applicant will use to provide the video programming.

These showings by the applicant are to be made in the form of an affidavit signed by an officer or general partner of the applicant. Upon proper showing, the Commission shall approve the VSA.

ANALYSIS:

The Commission approved the Company's VSA for seven service footprint areas. The Company is amending its Authorization to include one new footprint.

The Applicant has identified its principal place of business as 200 N. Ozark, Girard, Kansas, 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 Kansas Not For Profit 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:

<u>Community Served</u>	<u>CUID #</u>
Erie	KS0859

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 Girard, Kansas, and has provided a legal description of the territories.

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 identifying¹ the proposed service area footprint, as follows: Erie, ERIE-08-CRKT-04.

RECOMMENDATION:

Staff recommends Commission approval of this Application with service area footprint to be identified and known as Erie, ERIE-08-CRKT-04.

¹ 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.

CERTIFICATE OF SERVICE

14-CRKT-080-VSA

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 _____.

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/S/ DeeAnn Shupe

DeeAnn Shupe