

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

Before Commissioners:                    Andrew J. French, Chairperson  
   Dwight D. Keen  
   Susan K. Duffy

In the Matter of Consolidated Communications    )  
of Kansas Company Filing Tariff Revisions to    )                    Docket No. 21-SFLT-408-TAR  
its General, Business Rate Increases.                    )

**ORDER APPROVING TARIFF REVISIONS**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (“Commission”) on the Application of Consolidated Communications of Kansas Company (Consolidated Kansas), which requested permission to raise its business local service rates \$1.50 per month. Having reviewed its files and records and being duly advised in the premises, the Commission makes the following findings:

1.        On April 30, 2020, Consolidated Kansas filed an Application with the Commission to approve a tariff revision, specifically to increase their business access line rate by \$1.50 for exchanges in Leoti, Tribune Marienthal, Jetmore, Sharon Springs, Wallace, Weskan, Cedar Point, Saffordville and Americus. The revision also increases Small Business Bundles and ExspanionPAK II bundles by \$2.50.

2.        K.S.A. 66-2007(b) states:

The commission shall approve, upon not more than 120 days' notice, any basic local exchange price increases that in the aggregate in any one year are \$1.50 or less per access line per month, that are proposed by any rural telephone company which is subject to traditional rate of return regulation and that comply with the requirements of this section. Any such proposed price increases shall be presumed reasonable and not subject to commission investigation and review if the rural telephone company has followed the notice requirements set forth below. However, the commission shall initiate an investigation if more than 15% of the subscribers

subject to the rate increase request such an investigation within 60 days of the date of distribution of the notice of the proposed change.

Upon filing such an application for a rate increase, any rural telephone company seeking expedited approval of the proposed rate under this section shall send a notice to its subscribers by regular mail, which may be included with regular subscriber mailings. Such mailings shall include the name, mailing address and telephone number of the commission. The notice shall include a schedule of the proposed local exchange rates, the effective date of the rates and a description of the procedures by which the subscribers can petition the commission to determine the reasonableness of the proposed rates, including a provision specifically stating that protest by 15% or more of subscribers subject to the proposed rate increase would require the commission to initiate an investigation concerning the reasonableness of the proposed rate increase.

Consolidated Kansas provided a copy of the "Notice of Proposed Rates" the Company sent to its customers. The Customer Notice stated that a customer could petition the Commission regarding the reasonableness of the rate increase and that the Commission would be required to initiate an investigation if more than fifteen percent (15%) of the Company's subscribers protest the rate increase. The Company also provided updated tariff pages to reflect the proposed rate increases.

3. On August 9, 2021, Commission Staff (Staff) submitted its Report and Recommendation, attached hereto and made a part hereof by reference. Staff found that Consolidated Kansas properly provided notice to its subscribers pursuant to K.S.A. § 66- 2007(b) and that no customer filed a comment or complaint. Therefore, as Staff noted, Consolidated Kansas's proposed rate increases are presumed reasonable, not subject to Commission investigation and review, and Staff recommended their approval. For informational purposes, Staff noted that the projected annual revenue increase from residential customers as result of the rate increases is \$16,600, which includes \$12,700 from stand-alone access lines and \$3,900 from access line increases in the voice bundles. Furthermore, based upon historical usage of K.S.A. 66-2007(b) by Consolidated Kansas, its affordable residential rate under K.S.A. 66-2005(e) would be \$5.57

above the statewide affordable rate in the Leoti, Tribune, Marienthal, Sharon Springs, Wallace, and Weskan exchanges; \$ 4.50 in the Jetmore exchange; \$4.46 above the statewide affordable rate for the Cedar Point, Saffordville exchanges, and \$4.33 above the affordable rate for the Americus exchange upon approval of the additional increase in this Docket, should it seek Kansas Universal Service Fund (KUSF) high-cost support.

4. Staff recommended that the Commission approve Consolidated Kansas's filing.

5. The Commission finds Staff's findings and recommendation to be reasonable and hereby adopts the same.

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

A. Consolidated Communications of Kansas Company's Application is hereby granted and its revised tariff is hereby approved.

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>1</sup>

**BY THE COMMISSION IT IS SO ORDERED.**

French, Chairperson; Keen, Commissioner; Duffy, Commissioner

Dated: 08/17/2021



\_\_\_\_\_  
Lynn M. Retz  
Executive Director

AAL

<sup>1</sup> K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

**REPORT AND RECOMMENDATION  
UTILITIES DIVISION**

TO: Chairperson Andrew J. French  
Commissioner Dwight D. Keen  
Commissioner Susan K. Duffy

FROM: Kelly Mabon, Senior Telecommunications Analyst  
Sandra K. Reams, Assistant Chief of Telecommunications  
Bryan Seamans, Chief of Telecommunications  
Jeff McClanahan, Director of Utilities

DATE: August 9, 2021

RE: Docket No. 21-SFLT-408-TAR  
In the Matter of Consolidated Communications of Kansas Company Filing Tariff  
Revision to its General, Business Rate Increases.

**EXECUTIVE SUMMARY:**

On April 30, 2021, Consolidated Communications of Kansas Company (Consolidated Kansas) filed an Application pursuant to K.S.A. 66-2007(b), requesting permission to raise its business local service rates \$1.50 per month. Staff recommends approval of the Application.

Commission action on this matter is required no later than **Saturday, August 28, 2021.**

**BACKGROUND:**

The Company requests approval to increase the following access line rates:

- Business access line rate will increase by \$1.50 for exchanges in Leoti, Tribune, Marienthal, Jetmore, Sharon Springs, Wallace, and Weskan (current access line rate is \$18.00, increasing to \$19.50)
- Business access line rate will increase by \$1.50 for exchanges in Cedar Point and Saffordville (current access line rate is \$22.50, increasing to \$24.00)
- Business access line rate will increase by \$1.50 for the Americus exchange (current access line rate is \$24.00, increasing to \$25.50)
- Small Business Bundles will increase by \$2.50

- ExpansionPAK II (EPAK II) bundles will increase by \$2.50 (business access line rate increase of \$1.50 and intrastate long distance minutes rate increase of \$1.00)

K.S.A. 66-2007(b) states:

The commission shall approve, upon not more than 120 days' notice, any basic local exchange price increases that in the aggregate in any one year are \$1.50 or less per access line per month, that are proposed by any rural telephone company which is subject to traditional rate of return regulation and that comply with the requirements of this section. Any such proposed price increases shall be presumed reasonable and not subject to commission investigation and review if the rural telephone company has followed the notice requirements set forth below. However, the commission shall initiate an investigation if more than 15% of the subscribers subject to the rate increase request such an investigation within 60 days of the date of distribution of the notice of the proposed change.

Upon filing such an application for a rate increase, any rural telephone company seeking expedited approval of the proposed rate under this section shall send a notice to its subscribers by regular mail, which may be included with regular subscriber mailings. Such mailings shall include the name, mailing address and telephone number of the commission. The notice shall include a schedule of the proposed local exchange rates, the effective date of the rates and a description of the procedures by which the subscribers can petition the commission to determine the reasonableness of the proposed rates, including a provision specifically stating that protest by 15% or more of subscribers subject to the proposed rate increase would require the commission to initiate an investigation concerning the reasonableness of the proposed rate increase.

Consolidated Kansas provided a copy of the "Notice of Proposed Rates" the Company sent to its customers. The Customer Notice stated that a customer could petition the Commission regarding the reasonableness of the rate increase and that the Commission would be required to initiate an investigation if more than fifteen percent (15%) of the Company's subscribers protest the rate increase. The Company also provided updated tariff pages to reflect the proposed rate increases.

#### **ANALYSIS:**

Staff evaluated Consolidated Kansas's Customer Notice and finds it is appropriate and in compliance with K.S.A. 66-2007. Pursuant to K.S.A. 66-2007(b), the statutorily required comment period is 60 days from customer notice. Thus, comments were due to the Commission's Public Affairs and Consumer Protection Office by Saturday, July 31, 2021. The Commission is required to approve aggregate increases of \$1.50 or less per line per year pursuant to K.S.A. 66-2007(b), unless at least 15% of Consolidated Kansas's subscribers comment or object. Attachment A is a memorandum from the Commission's Public Affairs and Consumer Protection Office stating it received no comments or complaints regarding Consolidated Kansas's proposed rate increase.

K.S.A. 66-2005(e)(1)(C) required the Commission to determine a target affordable residential local service rate, effective March 1, 2007, and every two-years thereafter for those entities that receive Kansas Universal Service Fund (KUSF) high-cost support. In Docket No. 21-GIMT-095-GIT, the Commission adopted a statewide target affordable rate of \$18.50 for residential service and \$21.50 for single-line business service.

K.S.A. 66-2005(e)(5) requires that a rural LEC that increases local service rates after February 20, 2002, pursuant to K.S.A. 66-2007(b), will have an affordable rate that is increased by an equal amount of the rate increases under K.S.A. 66-2007(b).

The Company has not received KUSF high-cost support since June 1, 2003.<sup>1</sup> The Company previously increased its business local service rates under K.S.A. 66-2007(b) in numerous dockets, the most recent being Docket No. 20-SFLT-331-TAR.<sup>2</sup> Based on the total amount of the increases in these dockets, its affordable business rate would be \$5.57 above the statewide affordable rate in the Leoti, Tribune, Marienthal, Sharon Springs, Wallace, and Weskan exchanges; \$ 4.50 in the Jetmore exchange; \$4.46 above the statewide affordable rate for the Cedar Point, Saffordville, exchanges, and \$4.33 above the affordable rate for the Americus exchange upon approval of the additional increase in this Docket, if it were to seek KUSF high-cost support.

In response to a Data Request from Staff, the Company states it anticipates additional annual business customer revenue of \$16,600, which includes \$12,700 from stand-alone access lines and \$3,900 from access line increases in the voice bundles.

### **RECOMMENDATION:**

The evaluation of Consolidated Kansas's Application and Customer Notice shows they are in compliance with K.S.A. 66-2007(b). Consolidated Kansas's customers did not register any written or oral complaints with the Commission's Public Affairs and Consumer Protection Office; therefore, the Company's Application to increase its rates up to \$1.50 per line per year, as stated in its Application, should be approved.

Staff recommends that the Commission approve Consolidated Kansas's filing.

---

<sup>1</sup> *Order Approving Stipulated Settlement Agreement*, Docket No. 01-SFLT-879-AUD and Docket No. 01-BSTT-878-AUD, May 2, 2003.

<sup>2</sup> *Order Approving Tariff Revisions*, Docket No. 12-SFLT-623-TAR, May 21, 2012 (\$1.50 for all exchanges except Jetmore and \$1.18/month for residential in the Jetmore exchange); *Order Approving Local Rate Increases Pursuant to K.S.A. § 22-2007(b)*, Docket No. 13-SFLT-641-TAR, July 18, 2013 (\$1.50 for all exchanges for residential); *Order Approving Tariff Revisions*, Docket No. 12-BSTT-621-TAR, May 21, 2012 (\$1.50/month for the Cedar Pointe and Stafford exchanges and \$1.38/month for the Americus exchange for residential); *Order Approving Local Rate Increases Pursuant to K.S.A. § 22-2007(b)*, Docket No. 13-BSTT-643-TAR, July 18, 2013 (\$1.50/month for all exchanges for residential); and *Order Approving Tariff Revisions*, Docket No. 20-SFLT-331-TAR, April 28, 2020 (\$1.50/month for all exchanges for residential), plus the \$1.50/line increase approved in this Docket.

Attachment A

1500 SW Arrowhead Road  
Topeka, KS 66604-4027

Andrew J. French, Chairperson  
Dwight D. Keen, Commissioner  
Susan K. Duffy, Commissioner



Phone: 785-271-3100  
Fax: 785-271-3354  
<http://kcc.ks.gov/>

Laura Kelly, Governor

MEMORANDUM

To: Lynn Retz Executive Director

From: Linda Berry, Director Public Affairs and Consumer Protection

Date: August 2, 2021

Re: Docket 21-SFLT-408-TAR

In the Matter of Consolidated Communications of Kansas Company Filing Tariff Revisions to Residential Access Line and Bundles Increases

The Office of Public Affairs and Consumer Protection received no customer comments between June 1, 2021 and July 31, 2021 regarding the rate increase proposed in Docket 21-SFLT-408- TAR.

I request the Telecommunications Division of the Kansas Corporation Commission file this memo into the docket.

cc. Kelly Mabon  
Senior Telecommunications Analyst

## **CERTIFICATE OF SERVICE**

21-SFLT-408-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 08/17/2021.

KEVIN KASTOR, DIRECTOR - GOVERNMENT AFFAIRS  
CONSOLIDATED COMMUNICATIONS OF KANSAS  
COMPANY  
350 SOUTH LOOP 336 W  
CONROE, TX 77304  
kevin.kastor@consolidated.com

AHSAN LATIF, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
a.latif@kcc.ks.gov

/S/ DeeAnn Shupe  
\_\_\_\_\_  
DeeAnn Shupe