

**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 the Application of Fiber)
Communications of Columbus, LLC, d/b/a)
Optic Communications, Filing for) Docket No. 14-FCCC-462-VSA
Termination of its Kansas Video Service)
Authorization.)

ORDER APPROVING TERMINATION OF 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 February 1, 2021, Fiber Communications of Columbus, LLC, d/b/a Optic Communications (Fiber Communications) filed an Application for termination of Video Service Authorization (VSA), as authorized by K.S.A. 12-2023 and K.A.R. 82-15-1.

2. K.S.A. 12-2023(d) provides that a Certificate of VSA may be terminated by a video service provider with the submission of notice to the Commission. The Commission has promulgated a regulation under K.A.R. 82-15-1(b)(3) providing that a video provider seeking to terminate VSA must provide notice through filing an application.

3. On February 10, 2021, Staff submitted its Report and Recommendation endorsing the termination of VSA for Fiber Communications as requested in the Application filed on February 1, 2021. The Staff has noted that Fiber Communications was issued VSA on April 7, 2014 for service in the area of Galena/Riverton, Kansas. This authorization was amended on December 2, 2021, to include the cities of Baxter Springs and Lowell, Kansas, and area adjacent

to the cities. The Staff also indicated that Fiber Communications does not serve any customers and therefore does not need to provide a notice to customers indicating termination of the VSA.

4. The Commission concurs with Staff's analysis and recommendation and finds the Fiber Communications' Application should be granted approving the company's request for terminating its VSA.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Application of Fiber Communications of Columbus, LLC, d/b/a Optic Communications requesting the termination of state-issued Video Service Authorization is hereby granted. The Video Service Authorization shall be terminated effective with the date of this Order.

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).¹

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.

French, Chairperson; Keen, Commissioner; Duffy,

02/25/2021

Commissioner Dated: -----

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LynnM. Retz
Executive Director

¹ 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
Sandy Reams, Assistant Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: February 10, 2021

SUBJECT: Docket No. 14-FCCC-462-VSA
In the Matter of the Application of Fiber Communications of Columbus LLC, d/b/a
Optic Communications Filing for Termination of its Kansas Video Service
Authorization.

EXECUTIVE SUMMARY:

On February 1, 2021, Fiber Communications of Columbus LLC, d/b/a Optic Communications (Fiber Communications) filed an Application for Termination of its 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 **Wednesday, March 3, 2021.**

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.

K.S.A. 12-2023(d) provides that the Commission may terminate a video service authorization upon application for such termination by the video service provider.

In addition K.A.R. 82-15-1(b)(3) states:

Each entity that holds a video service authorization certificate and wants to terminate its authority to provide cable or video service shall file a termination application.

ANALYSIS:

The Applicant was issued an initial Video Service Authorization on April 7, 2014, for the service area of Galena/Riverton, including unincorporated areas adjacent to these cities. On December 2, 2014, the Applicant was granted authority to serve the cities of Baxter Springs, Kansas, and Lowell, Kansas, including unincorporated areas adjacent to those cities.

On February 1, 2021, the Applicant submitted an Application for Termination of its VSA. The Applicant responded to Staff's inquiry about notice to customers indicating the Company does not currently provide cable service to any customers. Therefore, no customers will be affected by this termination.

RECOMMENDATION:

Staff recommends Commission approval of Fiber Communications' Application to terminate its Video Service Authorization.

CERTIFICATE OF SERVICE

14-FCCC-462-VSA

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 02/25/2021.

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/S/ DeeAnn Shupe

DeeAnn Shupe