



The Commission must review rates and terms for jurisdictional telecommunications services to ensure they are “just and reasonable” pursuant to K.S.A. 66-1,189. Further, K.S.A. 66-1,189 requires the Commission to ensure that all classifications, rules and regulations regarding the services are not unduly discriminatory or preferential.

3. On May 5, 2025, Staff submitted its Report and Recommendation (R&R), attached hereto and made a part hereof, recommending the Commission grant Brightspeed’s application and approve the company’s proposed tariff revisions, effective May 30, 2025.

4. Based on Staff’s R&R and the application, the Commission finds the revisions will not result in a net revenue impact for Brightspeed.<sup>1</sup>

5. The Commission adopts Staff’s R&R as well as its findings and therefore concludes that the proposed revised tariff as represented in Brightspeed’s application is just and reasonable.

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

A. Brightspeed Companies of Kansas’s application, filed April 30, 2025, is hereby granted and its revised tariff is hereby approved and shall become effective May 30, 2025.

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>2</sup>

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

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 05/15/2025



Celeste Chaney-Tucker  
Executive Director

AAL

<sup>1</sup>Staff’s R&R at p. 2.

<sup>2</sup> K.S.A. 66-1118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

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Andrew J. French, Chairperson  
Dwight D. Keen, Commissioner  
Annie Kuether, Commissioner

Laura Kelly, Governor

## **REPORT AND RECOMMENDATION UTILITIES DIVISION**

**TO:** Andrew J. French, Chairperson  
Dwight D. Keen, Commissioner  
Annie Kuether, Commissioner

**FROM:** Hemant Bhagat, Senior Telecommunications Analyst  
Steve Garrett, Deputy Chief of Telecommunications  
Jeff McClanahan, Director of Utilities

**DATE:** May 5, 2025

**RE:** Docket No. 25-UTDT-390-TAR  
In the Matter of Brightspeed Companies of Kansas Filing Tariff Revisions to  
Increase the Rates for Late Payment Charges.

### **EXECUTIVE SUMMARY:**

On April 30, 2025, Brightspeed Companies of Kansas (Brightspeed) filed an application requesting the Kansas Corporation Commission (Commission) to approve revision to increase the rates for late payment charges.

The filing includes revision to Brightspeed's Access Tariff impacting Section 9, Sheet 14. Commission action on this matter is required no later than Thursday, May 29, 2025, to comply with K.S.A. 66-2007(b). The Company's proposed effective date is May 30, 2025.

Staff recommends approval of the Application.

### **BACKGROUND:**

K.S.A. 66-117(c), in part, states:

The commission shall not delay the effective date of the proposed change in rate, joint rate, toll, charge or classification or schedule of charges, or in any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, more than 240 days beyond the date the public utility or common carrier filed its application requesting the proposed change. If the commission does not suspend the proposed schedule within 30 days of the date the same is filed by the public utility or common carrier, such proposed schedule shall be deemed approved by the commission and shall take effect on the proposed effective date.

The Commission derives its authority to review Local Exchange Carrier tariffs from K.S.A. 66-117(d), which states in part:

(d) Except as provided in subsection (c), no change shall be made in any rate, toll, charge, classification or schedule of charges or joint rates, or in any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, without the consent of the commission.

Pursuant to K.S.A. 66-1,189, the Commission must review rates and terms for every telecommunication public utility to ensure they are “just and reasonable” and the classifications, rules, and regulations regarding the services are not unduly discriminatory or preferential.

Additionally, K.S.A. 66-1,190 requires every public utility doing business in Kansas over which the Commission has control to publish and file with the Commission copies of all schedules of rates, joint rates, tolls, charges, classifications and divisions of rates affecting Kansas traffic, either state or interstate. The Commission has the power to prescribe reasonable rules and regulations regarding the form and filing of all schedules, tariffs and classifications of all rates, joint rates, tolls and charges, and all rules and regulations of such telecommunications public utilities as the Commission determines reasonable and appropriate.

#### **ANALYSIS:**

Brightspeed seeks Commission approval to revise their Access Service Tariff relating to a Late Payment fee on monthly bills not paid by the bill due date. The revision essentially increases the late payment charge by \$2.00 from “\$8.00 or 5% of the unpaid balance, whichever is greater” to \$10.00 or 5 % of the unpaid balance, whichever is greater.

Brightspeed indicated in an email dated May 5, 2025, upon Commission Staff’s (Staff) request for additional details, that the proposed rate increase for the late payment fee would not result in a net revenue impact for the company. Based upon its review, Staff is satisfied that the late payment fee is intended to encourage customers to pay the bill by the due date or to contact the company to discuss payment plan options. Staff believe the rate revisions are just and reasonable and will have a minimal impact upon Kansas customers.

#### **RECOMMENDATION:**

Staff recommend the Commission approve Brightspeed’s Late Payment Charge revision, effective May 30, 2025.

## **CERTIFICATE OF SERVICE**

25-UTDT-390-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 05/15/2025.

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/S/ KCC Docket Room  
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