

**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 An Investigation to Determine    )  
the Assessment Rate for the Twenty-Fourth        )  
Year of the Kansas Universal Service Fund,        )       Docket No. 20-GIMT-086-GIT  
Effective March 1, 2020.                                )

**ORDER APPROVING TRAFFIC FACTORS FOR  
STAR2STAR COMMUNICATIONS, LLC**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (“Commission”) for consideration and decision. Having reviewed its files and records and being duly advised in the premises, the Commission makes the following findings:

1. Pursuant to K.S.A. 66-2008(a), the Commission requires “every telecommunications carrier, telecommunications public utility and wireless telecommunications service provider that provides intrastate telecommunications services and, to the extent not prohibited by federal law, every provider of interconnected VoIP service, as defined by 47 C.F.R. 9.3 to contribute to the [Kansas Universal Service Fund (“KUSF”)] based upon the provider’s intrastate telecommunications services net retail revenues on an equitable and nondiscriminatory basis.” On December 27, 1996, in Docket No. 94-GIMT-478-GIT, the Commission declared that the contribution would be a yearly assessment on each provider’s intrastate retail revenues.

2. Pursuant to the Commission’s Order of January 24, 2012, and Amended Order of February 1, 2012, in Docket No. 12-GIMT-168-GIT, wireless carriers and interconnected voice over internet protocol (VoIP) providers have three options for identifying their Kansas intrastate

retail revenues. First, a provider may utilize the Federal Communications Commission's (FCC) Safe Harbor percentages to allocate intrastate and interstate Kansas revenues.<sup>1</sup> If a wireless carrier or VoIP provider utilizes the Safe Harbor percentages, no filings regarding the methodology are necessary. Second, a wireless carrier or VoIP provider may utilize a traffic study to determine revenue allocations between jurisdictions. If the wireless carrier or VoIP provider uses the traffic study methodology, it must file to request use of the methodology for KUSF purposes and provide the jurisdictional percentages (also known as "traffic factors") to the Commission, at least annually in the annual KUSF docket, and identify the specific timeframes for which the traffic factors apply. This filing requirement applies even if the traffic factors did not change from the prior year. Third, a wireless carrier or VoIP provider may directly assign revenue between jurisdictions.<sup>2</sup> If the wireless carrier or VoIP provider uses the direct assignment methodology, it does not need to provide the jurisdictional percentages, but it must request approval to use the methodology and inform the Commission at least annually, in the annual KUSF docket, whether it continues to use such methodology. Additionally, if the wireless carrier or VoIP provider uses either the traffic study or direct assignment methodologies, it must provide an affidavit from an officer of the company attesting that it uses the inverse of the intrastate KUSF revenue percentages for interstate, Federal Universal Service Fund (FUSF) remittance purposes. Such affidavit should accompany the filings referenced above.

3. On April 22, 2021, Star2Star Communications LLC (Star2Star) filed their traffic study factors for the period beginning March 1, 2020 and ending February 28, 2021. The filing was accompanied by an affidavit signed by Larry Stock, Chief Financial Officer for Star2Star,

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<sup>1</sup>See Report and Order and Notice of Proposed Rulemaking, 21 FCC Rcd. 7518 ¶65 (June 27, 2006).

<sup>2</sup>See Implementation Order Adopting Staff Report and Recommendation and requiring VOIP Providers Operating in Kansas to Report and Remit the Kansas Universal Service Fund by January 15, 2009. ¶14, Docket No. 07-GIMT-432-GIT (Sep. 22, 2008).

advising the Commission of the methodology Star2Star uses to allocate intrastate revenues for KUSF purposes.

4. The Commission finds Star2Star's filing appropriate and approves the traffic study factors submitted for KUSF remittance purposes.

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

A. Star2Star Communications LLC's traffic study factors filed on April 22, 2021, for the period of March 1, 2020 to February 28, 2021, are 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>3</sup>

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

French, Chairperson; Keen, Commissioner; Duffy, Commissioner

Dated: 05/04/2021



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Lynn M. Retz  
Executive Director

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<sup>3</sup>K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

## CERTIFICATE OF SERVICE

20-GIMT-086-GIT

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 05/04/2021.

JOSEPH R. ASTRAB, ATTORNEY  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
Fax: 785-271-3116  
j.astrab@curb.kansas.gov

MARK E. CAPLINGER  
MARK E. CAPLINGER, P.A.  
7936 SW INDIAN WOODS PL  
TOPEKA, KS 66615-1421  
mark@caplingerlaw.net

MARK DOTY  
GLEASON & DOTY CHTD  
401 S MAIN ST STE 10  
PO BOX 490  
OTTAWA, KS 66067-0490  
Fax: 785-842-6800  
doty.mark@gmail.com

BRIAN G. FEDOTIN, GENERAL COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
Fax: 785-271-3354  
b.fedotin@kcc.ks.gov

DOUG FUNSCH, CFO  
TELIAX, INC.  
2150 W 29TH AVENUE  
SUITE 200  
DENVER, CO 80211  
dfunsch@teliax.com

PAUL H. GARDNER  
D/B/A ATTORNEY AT LAW  
801 NW VESPER  
BLUE SPRINGS, MO 64015-3733  
Fax: 816-229-9196  
lkgardner@hotmail.com

THOMAS E. GLEASON, JR., ATTORNEY  
GLEASON & DOTY CHTD  
PO BOX 6  
LAWRENCE, KS 66044  
Fax: 785-856-6800  
gleason@sunflower.com

JOHN IDOUX, REGULATORY AFFAIRS MANAGER  
EMBARQ COMMUNICATIONS, INC.  
D/B/A CENTURYLINK COMMUNICATIONS  
KSOPKJ04-4015  
600 NEW CENTURY PKWY  
NEW CENTURY, KS 66031  
Fax: 913-345-7955  
john.idoux@centurylink.com  
AHSAN LATIF, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
Fax: 785-271-3354  
a.latif@kcc.ks.gov

COLLEEN JAMISON  
JAMISON LAW, LLC  
P O BOX 128  
TECUMSEH, KS 66542  
colleen.jamison@jamisonlaw.legal

## CERTIFICATE OF SERVICE

20-GIMT-086-GIT

TODD E. LOVE, ATTORNEY  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
Fax: 785-271-3116  
t.love@curb.kansas.gov

MICHAEL NEELEY, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
Fax: 785-271-3167  
m.neeley@kcc.ks.gov

BRUCE A. NEY, AVP -SENIOR LEGAL COUNSEL  
AT&T SERVICES, INC.  
816 CONGRESS AVE  
SUITE 1100  
AUSTIN, TX 78701-2471  
Fax: 512-870-3420  
bruce.ney@att.com

DAVID W. NICKEL, CONSUMER COUNSEL  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
Fax: 785-271-3116  
d.nickel@curb.kansas.gov

SHONDA RABB  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
Fax: 785-271-3116  
s.rabb@curb.kansas.gov

DELLA SMITH  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
Fax: 785-271-3116  
d.smith@curb.kansas.gov

BROOK VILLA, ASSOCIATE GENERAL COUNSEL  
EMBARQ MISSOURI  
D/B/A CENTURYLINK  
301 MAIN STREET  
SUITE 1200  
BATON ROUGE, LA 70801  
brook.villa@centurylink.com

/S/ DeeAnn Shupe  
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DeeAnn Shupe