

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

Before Commissioners: Dwight D. Keen, Chair
 Shari Feist Albrecht
 Susan K. Duffy

In the Matter of United Telephone)
Companies of Kansas Proposal to Revise the) Docket No. 19-UTDT-449-CXB
Exchange Boundary United Telephone)
Companies of Kansas Moran Exchange with)
LaHarpe Telephone Company, Inc.

**ORDER GRANTING APPLICATION TO CEASE TRANSACTING
THE BUSINESS OF A TELEPHONE PUBLIC UTILITY**

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. On April 30, 2019, Untied Telephone Company of Kansas, Inc. d/b/a CenturyLink (CenturyLink) filed its Application with this Commission requesting permission to cease transacting the business of a telephone public utility in a certain territory.

2. The Commission’s authority to supervise telecommunications public utilities derives from K.S.A. 2018 Supp. 66-1,188. The Commission’s authority to certificate and de-certificate public utilities derives from K.S.A. 2018 Supp. 66-131. Pursuant to K.S.A. 2018 Supp. 66-131, the Commission must review all certification and de-certification applications to determine whether the public convenience will be promoted by granting the request.

3. CenturyLink requests permission to cease transacting the business of a telephone public utility in the following described territory:

Territory to be transferred to LaHarpe Telephone Company, Inc. (LaHarpe) exchange from CenturyLink’s Moran exchange:

Beginning At A Point $\frac{1}{2}$ Mile East and $\frac{1}{2}$ Mile North Of The Southwest Corner of Section 24, T23S, R19E, Allen County, Kansas; Thence South $2\frac{1}{4}$ Miles; Thence East 2 Miles; Thence South $1\frac{1}{4}$ Miles, ***Thence East 1 Mile, Thence South $\frac{1}{2}$ Mile, Thence West 1 Mile*** (emphasis added to the transferred area)

4. On April 30, 2019, LaHarpe Telephone Company, Inc. made a companion filing in Docket No. 19-LHPT-450-CXB requesting to transact the business of a telephone public utility in the territory described in paragraph 3 above.

5. With the granting of this instant application, the total area certificated to Applicant as its Moran, Kansas exchange will be described as follows:

MORAN EXCHANGE

Beginning at a point $\frac{1}{4}$ mile north and $\frac{1}{4}$ mile east of the southwest corner of Section 32, T23S, R20E, in Allen County, Kansas; thence east 3 miles; thence south $\frac{1}{2}$ mile; thence east 3 miles to a point $\frac{1}{4}$ mile south and $\frac{1}{4}$ mile east of the northwest corner of Section 5, T24S, R21E; thence south $2\frac{1}{2}$ miles; thence west $\frac{1}{8}$ mile; thence south 1 mile; thence east $\frac{3}{8}$ mile; thence south 2 miles; thence east $\frac{3}{8}$ mile; thence south $\frac{1}{2}$ mile; thence west $\frac{3}{8}$ mile; thence south $1\frac{1}{4}$ miles; thence west $\frac{3}{4}$ mile; thence south $1\frac{5}{8}$ mile to a point $\frac{1}{4}$ mile west and $\frac{1}{8}$ mile south of the northwest corner of Section 19, T25S, R21E; thence west $\frac{3}{4}$ mile; thence north $\frac{1}{8}$ mile; thence west $\frac{7}{8}$ mile; thence south $\frac{1}{2}$ mile; thence west $3\frac{7}{8}$ miles to a point $\frac{1}{2}$ mile north and $\frac{1}{4}$ mile east of the southwest corner of Section 20, T25S, R20E; thence north 8 miles; thence east $1\frac{1}{4}$ miles; thence north $\frac{1}{2}$ mile; thence west $1\frac{1}{4}$ miles; thence north $1\frac{1}{4}$ miles to the point of the beginning.

6. Staff detected an error in the original legal description provided by CenturyLink on April 30, 2019. The legal above is the corrected legal description provided by CenturyLink on May 14, 2019 and filed in this Docket.

7. The Commission finds that public convenience will be promoted by granting the instant Application authorizing CenturyLink to cease transacting the business of a telephone public utility in the territory described in paragraph 3 above.

IT IS THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Application filed by United Telephone Company of Kansas d/b/a CenturyLink on April 30, 2019, is hereby granted and CenturyLink is authorized to cease transacting the business of a telephone public utility in the territory described in paragraph 3 above.

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 United Telephone Company of Kansas d/b/a CenturyLink and the subject matter of this Docket for the purpose of entering such further Order or Orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Keen, Chair; Albrecht, Commissioner; Duffy, Commissioner.

Dated: 05/21/2019



Lynn M. Retz
Secretary to the Commission

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

CERTIFICATE OF SERVICE

19-UTDT-449-CXB

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 05/21/2019.

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