

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the Matter of the Complaint Against)
Lumen by Bolz Insurance, Inc.) Docket No. 25-QWCT-139-COM

ORDER ON PRIMA FACIE DETERMINATION

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its pleadings and records, the Commission finds:

1. On August 23, 2024, Bolz Insurance, Inc. (Bolz) submitted a formal complaint against Lumen, claiming it significantly increased its monthly bill without notice.

1. Pursuant to K.A.R. 82-1-220(b), Bolz must:

(1) Fully and completely advise each Respondent and the Commission as to the provisions of law or the regulations or orders of the Commission that have been or are being violated by the acts or omissions complained of, or that will be violated by a continuance of acts or omissions;

(2) Set forth concisely and in plain language the facts claimed by the Complainant to constitute the violation(s); and

(3) State the relief sought by the Complainant.

2. The Commission's jurisdiction is limited to regulating landline service, not cell phone or internet service. It is unclear whether Bolz's Complaint concerns internet, cellular, or landline service from Lumen. Therefore, Bolz's Complaint fails to satisfy K.A.R. 82-1-220(b)(2), because it does not set forth concisely and in plain language the facts claimed by the Complainant

to constitute the violation(s). Additionally, the Complaint fails to satisfy K.A.R. 82-1-220(b)(3), because it does not state the relief sought by the Complainant.

3. Because the Complaint fails to provide adequate detail to allow the Commission to discern whether it has jurisdiction, the Commission finds this formal complaint fails to establish a *prima facie* case for Commission action.

4. Pursuant to K.A.R. 82-1-220(c), Bolz may amend the formal complaint. Accordingly, Bolz has thirty days, from the date of this Order, to supplement its Complaint to explain: (1) the relief it seeks; and (2) the nature of the service (i.e. landline, cellular, or internet) giving rise to its Complaint. If Bolz fails to amend its formal complaint in a manner that satisfies K.A.R. 82-1-220(b), its formal complaint will be dismissed without prejudice.

THEREFORE, THE COMMISSION ORDERS:

A. The Complaint does not satisfy K.A.R. 82-1-220(b), and therefore this formal complaint does not establish a *prima facie* case for Commission action.

B. Complainant has 30 days to amend the formal complaint. If Complainant fails to amend the formal complaint in a manner that satisfies K.A.R. 82-1-220(b), the formal complaint will be dismissed without prejudice.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 09/05/2024



Lynn M. Retz
Executive Director

BGF

CERTIFICATE OF SERVICE

25-QWCT-139-COM

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 09/05/2024.

RONALD W. BOLZ
BOLZ INSURANCE, INC.
622 Topeka Ave.
PO Box 486
Lyndon, KS 66451
ronald@bolzins.com

BRIAN G. FEDOTIN, GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
brian.fedotin@ks.gov

/S/ KCC Docket Room
KCC Docket Room