

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

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

In the Matter of Intrado Communications, LLC)
Notification of Company Name Change to) Docket No. 24-KDLC-400-CCN
Hypercube Networks, LLC.)

ORDER APPROVING NAME CHANGE

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (the “Commission”) on the application of Intrado Communications, LLC (“Intrado”) for approval of the Commission to change Intrado’s name to Hypercube Networks, LLC. Having reviewed its files and records and being otherwise duly advised in the premises, the Commission makes the following findings:

I. FINDINGS OF FACT

1. On November 21, 2023, Inteserra, a FAStek Company, filed an application on behalf of Intrado Communications, LLC (“Intrado”) request approval of the Commission for Intrado to change its name to Hypercube Networks, LLC in the Certificate of Convenience and Authority issued to Intrado’s predecessor, KMC Data, L.L.C., in Docket Number 01- KDLC-1051-COC to operate as a reseller of interexchange telecommunications services in Kansas.

2. Hypercube Networks, LLC is a foreign limited liability company which is active and in good standing with the Kansas Secretary of State.

3. Under K.S.A. 66-1,188, the Commission is given full power, authority and jurisdiction to supervise and control the local exchange carriers doing business in Kansas. Further, the Commission is empowered under that statute to do all things necessary and convenient for the exercise of such power, authority and jurisdiction.

4. On April 30, 1984, the Commission concluded in Docket Number 127,140-U that resellers were public utilities and subject to Commission regulation, including the Commission's direction that resellers of telecommunication services must file applications for Certificates of Convenience and Authority and accompanying tariffs for approval.¹ The Commission's direction is consistent with K.S.A. 66-131(a) which, in part, states that:

[n]o person or entity seeking to construct electric transmission lines...or common carrier or public utility...shall transact business in the state of Kansas until it shall have obtained a certificate [of public convenience] from the [Commission].

5. The Commission will approve the change of a name in a Certificate of Convenience and Authority if the Commission determines that public convenience and necessity will be promoted by the contemplated change of name.²

6. After analyzing Intrado's application, Commission technical staff ("Staff") submitted a Report and Recommendation ("Staff's R&R")—attached as **Attachment A** and incorporated by reference—on December 27, 2023, recommending the Commission to approve Intrado's application and, in essence, transfer the Certificate of Convenience and Authority issued in Docket Number 01- KDLC-1051-COC to Hypercube Networks, LLC.

7. The Commission adopts Staff's findings and analysis as stated in Staff's R&R.

II. CONCLUSIONS OF LAW

8. Because Intrado is a public utility transacting the business of reselling interexchange telecommunications services in Kansas, the Commission has jurisdiction of Intrado and the subject of this matter.

9. The Commission adopts Staff's R&R in its entirety, concluding that the public convenience and necessity will be promoted by the granting of Intrado's application.

¹ Order & Certificate, Docket No. 01-KDLC-1051-COC ¶ 1 (Sept. 26, 2001).

² K.S.A. 66-136 and K.S.A. 66-131.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The application filed by Intrado Communications, LLC (“Intrado”) requesting approval of the Commission for Intrado to change its name to Hypercube Networks, LLC in the Certificate of Convenience and Authority issued to Intrado’s predecessor, KMC Data, L.L.C., in Docket Number 01- KDLC-1051-COC to transact the business of reselling interexchange telecommunications services is 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).³

C. The Commission retains jurisdiction over the parties and this matter for the purpose of entering further orders, as the Commission may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

French, Chair; Keen, Commissioner; Kuether, Commissioner.

Dated: 01/16/2024



Lynn M. Retz
Executive Director

KCW

³ K.S.A. 66-118b; K.S.A. 77-503(e); K.S.A. 77-531(b).

ATTACHMENT “A”

REPORT AND RECOMMENDATION
UTILITIES DIVISION

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

FROM: Jorge Soto-Gomez, Telecommunications Analyst
Hemant Bhagat, Senior Telecommunications Analyst
Steve Garrett, Deputy Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: December 27, 2023

SUBJECT: Docket No. 24-KDLC-400-CCN – In the Matter of Intrado Communications, LLC Notification of Company Name Change to Hypercube Networks, LLC.

EXECUTIVE SUMMARY:

On November 21, 2023, an application was filed by Inteserra, a FAStek Company, on behalf of Intrado Communications, LLC (“Intrado”) requesting approval of the Kansas Corporation Commission (the “Commission”) to change Intrado’s name to Hypercube Networks, LLC (“Hypercube”) in their Certificate of Convenience and Authority issued by the Commission in Docket Number 01-KDLC-1051-COC. The Commission Staff (“Staff”) recommends approval of this application.

BACKGROUND:

The Commission derives its authority to supervise local exchange carriers from K.S.A. 66-1,188. The Commission derives its authority to certificate and de-certificate public utilities from K.S.A. 66-131. The Commission must determine whether the proposed company name change would promote public convenience and necessity. K.S.A. 66-131.

On September 26, 2001, the Commission issued to Intrado a Certificate of Convenience and Authority in Docket Number 01-KDLC-1051-COC authorizing Intrado to operate as a reseller of interexchange telecommunications services (“IXC Services”) in Kansas. Intrado was formerly known as West Telecom Services, LLC; Hypercube Telecom, LLC; and KMC Data, LLC.

All filings and reports are current under Intrado. Hypercube is registered with the Kansas Secretary of State and the name change is on file.¹ The account status is currently "Active and in Good Standing."²

ANALYSIS:

Intrado filed with the Kansas Secretary of State's office to change its name to Hypercube Networks, LLC on September 21, 2023. Intrado states that the name change will not affect service to customers in Kansas. A notice of company name change was provided by Intrado to Kansas customers on October 7, 2023. On December 18, 2023, the Company sent an email to Staff with a copy of the second notice to the customers sent on November 7, 2023. The second notice provided a new email address domain while keeping the existing email address domain valid for some time for the customers. The name change will not change Intrado's banking info, or tax id. Intrado is compliant with respect to Commission Assessments, Kansas Universal Service Fund Assessments and Annual Report filing requirements.

RECOMMENDATION:

Staff recommends approval of Intrado's request to change its name to Hypercube Network, LLC in the Certificate of Convenience and Authority issued in Docket Number 01-KDLC-1051-COC. Intrado is reminded to notify the Commission immediately of any change in address or contact telephone numbers, file timely annual reports, maintain current registration with the Kansas Secretary of State's Office, and pay all Commission and Kansas Universal Service Fund assessments in a timely manner.

¹ Application, Exhibit A, Kansas Secretary of State Authority.

² Kansas Secretary of State, Hypercube Networks, LLC, <https://www.kansas.gov/bess/flow/main.jsessionid=FF24B39C5C01E207DD0549149CF7F27F.apcs03-inst1?execution=e1s9>, last viewed December 12, 2023.

CERTIFICATE OF SERVICE

24-KDLC-400-CCN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 01/16/2024.

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/S/ KCC Docket Room
KCC Docket Room
