

Complaint, docketed as No. 25-EFNT-343-COM, against Everfast on March 6, 2025, that mirrored the allegations made in Docket No. 25-EFNT-342-COM.

3. Lakeview Village sought the following remedial measures: (a) for “Everfast to have necessary equipment in place for redundancy should a similar event happen in the future”; (b) for “Everfast to improve and provide daily communication” when outages occur; (c) for Everfast “to provide a guaranteed level of service with 99.99% uptime on the business phone lines.”⁴

4. On March 13, 2025, the Commission found the Formal Complaints met the requirements for a prima facie determination and should be served upon Everfast to answer within 10 days of service, pursuant to K.A.R. 82-1-220(b).⁵ The Commission also consolidated the Formal Complaints made by Lakeview Village into the same docket, Docket No. 25-EFNT-342-COM.⁶

5. On April 30, 2025, Everfast filed a response to the Formal Complaints, essentially stating the issues outlined in the Formal Complaints had been addressed and resolved.⁷ Highly summarized, Everfast stated that following the outage it engaged a third-party firm to repair one of its oldest, rarest switches/cards, and responded as quickly as possible to find a replacement part to fix the problem.⁸

6. On August 13, 2025, Commission Staff (“Staff”) filed a Report and Recommendation (“Staff’s R&R”), recommending the Formal Complaints be dismissed.⁹ Staff verified that service to the Lakeview Village campus was completely restored by April 16, 2025.¹⁰

⁴ *Id.*

⁵ Order Making Prima Facie Determination and Consolidating Dockets (March 13, 2025).

⁶ *Id.*

⁷ Response to Formal Complaints (April 30, 2025) (Docket No. 25-EFNT-342-COM).

⁸ *Id.*

⁹ Staff’s Report and Recommendation (Aug. 13, 2025).

¹⁰ *Id.*

Staff also verified that Everfast added a “Service Level Agreement” to its current contract with Lakeview Village, requiring it to provide “99.99% telephony service level”.¹¹ Staff ultimately recommends the Formal Complaints be dismissed given Everfast’s remedial measures, which has satisfied Lakeview Village.

7. Given that the remedy requested by the Complainant has been made by Everfast, the allegations contained in the Formal Complaints have been resolved.

THEREFORE, THE COMMISSION ORDERS:

A. The Commission finds that jurisdiction exists to investigate the Complaint and resolve the same.¹²

B. Based on the above, the Commission dismisses the Formal Complaints without prejudice since the matter is now moot.

C. 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).¹³

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 09/04/2025



Celeste Chaney-Tucker
Executive Director

ARB

¹¹ *Id.*

¹² See K.S.A. 66-1,201 (the Commission has “full power, authority and jurisdiction to supervise and control” public gas utilities); *see also* K.S.A. 66-1,205(a) (the Commission may investigate any practice or act alleged by a written complaint to be “unreasonable, unfair, unjust, unreasonably inefficient or insufficient, unjustly discriminatory or unduly preferential”).

¹³ *See also*, K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

25-EFNT-342-COM; 25-EFNT-343-COM

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 09/04/2025.

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