

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

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

In the Matter of the Application of Skybeam,)
LLC for an Order Confirming Relinquishment) Docket No. 25-SKYT-561-ETC
of Eligible Telecommunications Carrier)
Designation.)

**ORDER APPROVING SKYBEAM, LLC’S APPLICATION
FOR RELINQUISHMENT OF ELIGIBLE TELECOMMUNICATIONS CARRIER
DESIGNATION IN SPECIFIED AREAS**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (“Commission”) for consideration and determination. Having examined its files and records, the Commission finds and concludes:

1. On February 24, 2015, the Commission issued an order in Docket No. 15-SKYT-262-ETC approving Skybeam, LLC (“Skybeam”)’s application seeking designation as an Eligible Telecommunications Carrier (“ETC”) following Skybeam’s provisional selection as a recipient of support under the Rural Broadband Experiment Program (“RBE Program”) established by the Federal Communications Commission (“FCC”).¹

2. On June 25, 2025, Skybeam filed an application in the above-captioned docket requesting Commission approval to relinquish the company’s ETC designation in certain census blocks in Marion, Butler, and Harvey Counties in Kansas (“Study Area Code 416118”) for purposes of RBE Program funding.² In its application and in subsequent responses to discovery requests submitted by Commission Staff (“Staff”), Skybeam represented that it is currently

¹ Order Granting Eligible Telecommunications Carrier Designation in 267 Kansas Census Blocks, Docket No. 15-SKYT-262-ETC (Feb. 25, 2015).

² Skybeam, LLC Application, Docket No. 25-SKYT-561-ETC (June 25, 2025) (“Application”).

providing no voice or Lifeline services to consumers in Kansas.³ Skybeam additionally represented that upon relinquishment of its ETC designation in Study Area Code 416118, facilities for the supported network are being assigned to Ideatek Telecom, LLC (“Ideatek”) pursuant to an agreement between Skybeam and Ideatek.⁴ Skybeam represented that the relinquishment of its ETC status will not adversely affect any consumers.⁵ Skybeam represented that AT&T, Inc. and Brightspeed are among the service providers holding designation as ETCs that offer service in areas that overlap those that Skybeam currently serves.⁶

3. On September 9, 2025, Commission Staff (“Staff”) submitted a Report and Recommendation (“R&R”) regarding Skybeam’s application, which is attached hereto as **Attachment A**.⁷ Staff ultimately recommended that the Commission grant Skybeam’s request to relinquish its ETC designation for purposes of receiving funding through the RBE Program in Study Area Code 416118, subject to two conditions which will be outlined further in the ordering section below.⁸ Staff included an Exhibit 1 to its R&R with a list of the census blocks located in Study Area Code 416118.

4. The Commission’s jurisdiction and standard for approving the relinquishment of ETC designation is found in 47 U.S.C. § 214(e)(4):

A State Commission... shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier **in any area served by more than one eligible telecommunications carrier**. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State Commission... of such relinquishment. Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to

³ Application, p. 3.

⁴ *Id.*

⁵ *Id.*

⁶ *Id.* at p. 4.

⁷ Report and Recommendation, Utilities Division, Docket No. 25-SKYT-561-ETC (Sep. 9, 2025) (“Staff’s R&R” or “R&R”).

⁸ Staff’s R&R, p. 4.

cease providing universal service in an area served by more than one eligible telecommunications carrier, **the State Commission.. shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served...** (emphasis added).

Therefore, the Commission must determine that:

- a. Study Area Code 416118 is currently served by at least one other ETC;
- b. Skybeam properly gave advance notice to the Commission of its relinquishment; and
- c. Skybeam's customers in Study Area Code 416118 will continue to be served by at least one other ETC.

5. The Commission finds that it has jurisdiction over Skybeam as a telecommunications carrier pursuant to its ETC designation issued by the Commission's February 24, 2015, Order in Docket No. 15-SKYT-262-ETC.

6. The Commission finds that the recommendations contained in Staff's September 9, 2025, R&R are reasonable and hereby adopts the same as additional findings herein.

7. The Commission finds that there is at least one high-cost ETC that can provide high-cost services to customers in Study Area Code 416118, consistent with the requirements of 47 U.S.C. § 214(e)(4).

8. The Commission finds that Skybeam properly gave advance notice to the Commission of its relinquishment by way of filing its June 25, 2025, Application in the above-captioned docket, consistent with the requirements of 47 U.S.C. § 214(e)(4).

9. The Commission finds that Skybeam does not currently serve any customers in Study Area Code 416118, consistent with the requirements of 47 U.S.C. § 214(e)(4).

10. The Commission concludes that Skybeam's Application meets the requirements of 47 U.S.C. § 214(e)(4) for relinquishment of its ETC designation in Study Area Code 416118.

THEREFORE, THE COMMISSION ORDERS:

A. Skybeam, LLC's request for ETC relinquishment in Study Area Code 416118 is granted, subject to the following conditions:

1. Skybeam properly fulfilling its obligations to the Commission and VPS; and
2. Skybeam properly transferring its facilities to Ideatek.

B. Skybeam, LLC shall serve this Order upon the remaining ETCs in Study Area Code 416118 within 14 days of this Order being issued and will file an Affidavit in this docket confirming this notice was given.

C. The parties have 15 days from the date of electronic service of this Order to file a petition for reconsideration.⁹

D. The Commission shall retain jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 09/16/2025



Celeste Chaney-Tucker
Executive Director

MKH

⁹ K.S.A. 66-118b; K.S.A. 77-529(a)(1).

ATTACHMENT A

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

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

FROM: Drennan Dolsky, Telecommunications Analyst
Steve Garrett, Deputy Chief of Telecommunications
Janet Buchanan, Deputy Director of Utilities
Justin Grady, Director of Utilities

DATE: September 9, 2025

SUBJECT: Docket No. 25-SKYT-561-ETC

In the Matter of the Application of Skybeam, LLC for an Order Confirming
Relinquishment of its Eligible Telecommunications Carrier Designation.

EXECUTIVE SUMMARY:

On June 25, 2025, Skybeam, LLC (Skybeam) filed an application with the Kansas Corporation Commission (Commission) requesting approval to relinquish the company's designation as an Eligible Telecommunications Carrier (ETC) for Marion, Butler, and Harvey Counties in Kansas (Study Area Code 416118) for purposes of Rural Broadband Experiment Program (RBE Program) funding. Staff asked Skybeam in Discovery Request 1 (DR1) for an excel sheet providing the Census Block list. The Census block List is attached as Exhibit 1. Skybeam indicates the decision to relinquish its ETC status is due to the RBE Program ten-year support term coming to an end as well as a transaction between Skybeam and Ideatek Telcom, LLC (Ideatek) assigning the facilities for the supported network in the Study Area to Ideatek. Commission Staff (Staff) recommends the Commission issue an order approving Skybeam's request to relinquish its ETC designation for RBE Program support in these areas where AT&T and Brightspeed are also service providers.

BACKGROUND:

The Federal Communications Commission (FCC) established the RBE Program to award up to \$100 million in support to qualified applicants meeting certain criteria for the deployment of fixed broadband services in census blocks deemed by the FCC to be unserved by a provider of voice service and broadband with speeds of at least 4/1 Mbps. A variety of entities use Connect America funds in various geographic locations and deploy different types of technologies. The FCC

determined it would be advantageous to award support to a diverse group of projects within the \$100 million budget. The RBE Program is one of the supported projects.¹

On December 19, 2014, Skybeam filed an application requesting ETC designation from the Commission following its provisional selection as a recipient of support under the RBE Program in Docket No. 15-SKYT-262-ETC. The Commission granted Skybeam's ETC designation on February 24, 2015.²

On July 1, 2015, following satisfaction of certain conditions, the FCC authorized Skybeam to receive \$880,216.00 (later reduced to \$672,200 from an FCC Order on January 11, 2022) in RBE Program support to deploy 25/5 Mbps service to certain study blocks in Study Area Code 416118 until June 30, 2025.³

The Commission derives its authority to permit an eligible telecommunications carrier to relinquish its designation pursuant to 47 U.S.C. § 214(e)(4), which requires:

A State commission...shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission...of such relinquishment. **Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission ... shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier.** The State commission ... shall establish a time, not to exceed one year after the State commission ... approves such relinquishment under this paragraph, within which such purchase or construction shall be completed. (Emphasis added).

ANALYSIS:

To aid in its review of the application, Staff issued data requests to the company. The first request (DR 1) was issued on July 21, 2025, and the second request (DR 2) was issued on July 31, 2025. Skybeam replied to the requests through e-mail on July 28, 2025, and August 4, 2025, respectively.

I. Reason for Request

The application indicates the decision for Skybeam's relinquishment is for two reasons. First, the ten-year support term of the RBE Program came to an end on June 30, 2025. Second, a transaction

¹ See In the Matter of Connect America Fund and ETC Annual Reports and Certification, WC Dockets No. 10-90 and 14-58, FCC 14-98, ¶ 39, July 14, 2014.

² See Application I, ¶ 1.

³ See Application I, ¶ 2.

between Skybeam and Ideatek also took place which assigned the facilities for the supported network to Ideatek.

Skybeam indicates that it has no further obligations under the RBE Program after June 30, 2025, other than post-term reporting. The company also states that it has completed all deployment requirements and complied with the RBE Program and Commission rules in the Study Area. Skybeam also stated that it has no voice or Lifeline customers in Kansas.⁴ The application also stated that existing providers offer voice service in the Study Area, which Skybeam believes led to the lack of voice customers.⁵

II. Existence of Another ETC in Areas Served by Skybeam

In order to approve Skybeam's request for relinquishment, 47 U.S.C. § 214(e)(4) dictates that there must be one or more ETCs in the service area covered by the company. In an area served by more than one ETC (including Skybeam), the remaining ETC(s) are required to ensure that all customers served by the relinquishing carrier will continue to be served. AT&T, Inc and Brightspeed are among the service providers holding designation as ETCs that offer services in the area that Skybeam currently serves. Skybeam has served those ETCs with a copy of the application.⁶

Additionally, Skybeam states in its application that there is no need for other ETCs to serve any relinquished consumers in these territories because Skybeam claims to have no voice or Lifeline customers in the Study Area. As a result, Skybeam stated that no consumers are being impacted by the ETC relinquishment.⁷

III. Notification Requirement

As stated above, Skybeam indicates that it has no voice or Lifeline customers in the areas affected by the relinquishment of its ETC designation. Therefore, Skybeam suggests that notification to customers is not necessary. Staff agrees with Skybeam that it is not necessary to notify customers in advance given the fact that there are no customers to notify and the fact that IdeaTek is being assigned Skybeam's facilities.⁸

Additionally, Skybeam has provided advanced notice of the relinquishment to the Commission as well as to AT&T, Inc. and Brightspeed. Skybeam stated, "To the best of Skybeam's knowledge, no additional facilities will need to be constructed or purchased because Skybeam has no voice customers to be served in the Study Area."⁹ Thus, Staff contends that the notice provided has been sufficient.

IV. Benefit Transfers

The USAC database defines a benefit transfer as when one service provider transfers a subscriber's Lifeline program benefit from another service provider. The benefit transfer must be at the request of the subscriber. The subscriber's new service provider initiates the transaction in the National

⁴ See Application I, ¶ 3,5.

⁵ See Application II, ¶ 8.

⁶ *Id.*

⁷ See *Id.*, ¶ 10.

⁸ See Application III, ¶ 12.

⁹ See Application II, ¶ 10.

Lifeline Accountability Database (NLAD) on the subscriber's behalf. Prior to initiating a benefit transfer in NLAD, the service provider must obtain the consent of the subscriber and obtain proper documentation of consent.¹⁰

While Skybeam indicates it had no voice customers at the time of this application, Staff reminds Skybeam to follow the guidelines set in place by USAC when transferring the subscriber's service to Ideatek or other providers.

V. Other Relevant Information

Skybeam will need to take all necessary actions to ensure it will no longer receive FUSF support in the Study area after the official relinquishment date that will be filed with the Commission. KCC Staff will notify the FCC and USAC after the Commission issues an Order approving Skybeam's request to relinquish the company's ETC designation.

RECOMMENDATION:

Staff contends that Skybeam has met the requirements for relinquishment as identified in 47 U.S.C. § 214(e)(4). There are no voice or Lifeline customers in the relinquished area and there is at least one or more designated, competitive ETCs providing all of the services required of an ETC. Staff recommends the Commission issue an Order granting Skybeam's request to relinquish its ETC designation for purposes of receiving funding through the RBE Program in the Study Area attached as Exhibit 1, dependent upon:

- 1) Skybeam properly fulfilling its obligations to the Commission and Vantage Point Solutions (VPS); and
- 2) Skybeam properly transferring its facilities to Ideatek.

¹⁰ <https://www.usac.org/lifeline/national-lifeline-accountability-database-nlad/benefit-transfers/>.

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Staff Exhibit 1

Marion KS #8

200150201001067	201154896001223	201154897002002	201154897003275	201154898001107	201154898005082
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200150201001069	201154896001225	201154897002013	201154897003278	201154898001109	201154898005102
200150201001070	201154896001226	201154897002021	201154897003281	201154898001116	201154898005107
200150201001071	201154896001230	201154897002058	201154897003283	201154898001118	201154898005109
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200150201001076	201154896001235	201154897003081	201154897003290	201154898001122	
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201154896001206	201154897001164	201154897003260	201154898001094	201154898004272	
201154896001207	201154897001166	201154897003261	201154898001095	201154898004275	
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CERTIFICATE OF SERVICE

25-SKYT-561-ETC

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 09/16/2025.

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/S/ KCC Docket Room

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