

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Dwight D. Keen

In the Matter of the Investigation of **AT&T**)
Kansas, Regarding Violation(s) of the)
Kansas Underground Utility Damage)
Prevention Act (KUUDPA) (K.S.A. 66-)
1801, *et seq.*), and the Commission's)
Authority to Impose Penalties and/or)
Sanctions (K.S.A. 66-1,151))

Docket No. 18-DPAX-456-PEN

ORDER NUNC PRO TUNC

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 and being fully advised on the premises, the Commission finds and concludes as follows:

1. On May 1, 2018, the Commission issued a *Penalty Order* in this matter. The caption of the May 1st Order reads, "In the Matter of the Investigation of **AT&T of Union, Kansas**, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, *et seq.*, and K.A.R. 82-14-1, *et seq.*), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151)."

2. The Commission concludes its May 1, 2018, Penalty Order should be corrected to reflect the violation of "**AT&T Kansas**." To this end, the Commission orders the heading of its May 1, 2018, Penalty Order to read as follows: "In the Matter of the Investigation of **AT&T Kansas**, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, *et seq.*, and K.A.R. 82-14-1, *et seq.*), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151)."

IT IS THEREFORE, BY THE COMMISSION ORDERED THAT:

(A) To correct a clerical error contained in its May 1, 2018, *Penalty Order*, the Commission enter this *Nunc Pro Tunc* to replace the language within the May 1, 2018, Penalty Order caption with the following language: “In the Matter of the Investigation of **AT&T Kansas**, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, *et seq.*, and K.A.R. 82-14-1, *et seq.*), and the Commission’s Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151).”

(B) The parties have fifteen (15) days, plus three (3) days if mailed service, from the date this order was served in which to petition the Commission for reconsideration. K.S.A. 66-118b; K.S.A. 2017 Supp. 77-529(a)(1).

(C) The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders, as necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 06/07/2018



Lynn M. Retz
Secretary to the Commission

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CERTIFICATE OF SERVICE

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I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on 06/08/2018.

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/S/ DeeAnn Shupe

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