

COLLEEN R. JAMISON  
JAMISON LAW, LLC

February 11, 2019

Lynn M. Retz, Secretary  
Kansas Corporation Commission  
1500 SW Arrowhead Rd  
Topeka, KS 66612


RE: Petition to Intervene  
Docket No. 19-RRLT-277-COM

Dear Ms. Retz:

Attached for filing please find a Petition to Intervene on behalf of my clients.

If you have any questions, please let me know.

Cordially yours,

  
Colleen R. Jamison

BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

|                                     |   |                            |
|-------------------------------------|---|----------------------------|
| In the Matter of the Complaint of   | ) |                            |
| Ideatek Telcom, LLC Against Nex-    | ) |                            |
| Tech and Rural Telephone Service    | ) | Docket No. 19-RRLT-277-COM |
| Company Regarding Disconnection of  | ) |                            |
| Service, Request for Interim Ruling | ) |                            |
| and Request for Expedited Review    | ) |                            |

**PETITION TO INTERVENE OF THE STATE INDEPENDENT ALLIANCE**

COME NOW the rural local exchange carriers (“RLECs”) identified on Attachment “A” hereto and petition the Commission for permission to intervene in the above-captioned matter pursuant to K.S.A. 77-521 and K.A.R. 82-1-225. In support, the RLECs show the Commission as follows:

1. The RLECs identified on Attachment A are all rural telephone companies as defined in K.S.A. 66-1,187(l), have all elected traditional rate of return regulation pursuant to K.S.A. 66-2005(b), and are all statutorily designated as carriers of last resort, pursuant to K.S.A. 66-2009(b).

2. The RLECs are, pursuant to K.S.A. 77-521(a), entitled to intervention for the reasons set forth below. K.S.A. 77-521(a) states:

The presiding officer shall grant a petition for intervention if:

- (1) The petition is submitted in writing to the presiding officer, with copies served upon all parties named in the presiding officer’s notice of the hearing, at least three business days before the hearing;
- (2) the petition states facts demonstrating that the petitioner’s legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding or that the petitioner qualifies as an intervener under any provision of law; and
- (3) the presiding officer determines that the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.

3. The RLECs are also entitled to intervention pursuant to K.A.R. 82-1-225(a), which substantially mirrors K.S.A. 77-521, also for the reasons set forth below.

4. As noted by the appointed hearing examiner at paragraph 10 of his February 1, 2019, Order in this docket: “[t]he parties have raised some practical and policy oriented issues involving VoIP service in a rural telephone company exchange.” Paragraph 10 of the Examiner’s Order continues on to pose ten policy questions any one of which have the potential to affect each RLEC petitioning for intervention.

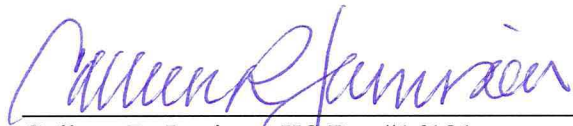
5. As a result of the policy questions either now posed or that may arise during the pendency of this action, the legal rights and duties of the petitioning RLECs with respect to interconnection and, indeed, all matters raised by the Examiner in paragraph 10 of his February 1, 2019 Order, may be substantially affected by the results of this proceeding. Any determinations made in this proceeding have the potential to affect all other RLECs in the state. As such, the petitioning RLECs should be granted intervention as of right.

6. This matter is in its infancy and, as a result, the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.

WHEREFORE, for the reasons stated above, the RLECs identified in Attachment A request the Commission grant its petition to intervene in this matter and allow them to participate fully, and for such other and further relief as the Commission deems just and equitable.

Respectfully submitted,

JAMISON LAW, LLC



Colleen R. Jamison, KS Bar #16121

P.O. Box 128

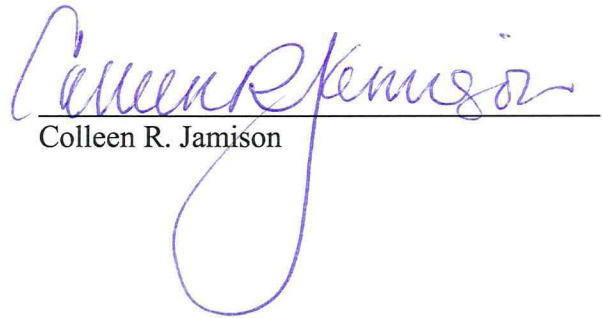
Tecumseh, KS 66542

Ph: 785-331-8214

[colleen.jamison@jamisonlaw.legal](mailto:colleen.jamison@jamisonlaw.legal)

**VERIFICATION**

I, the undersigned, hereby certify under penalty of perjury pursuant to K.S.A. 53-601 that I am an attorney for the rural local exchange carriers listed in attachment A hereto and that the foregoing is true and correct. Executed on February 11, 2019.

  
Colleen R. Jamison

**CERTIFICATE OF SERVICE**

I, the undersigned, certify that a true and correct copy of the above and foregoing Petition to Intervene was served via electronic service this 11<sup>th</sup> day of February 2019, to the following:

GLEND A CAFER, ATTORNEY  
CAFER PEMBERTON LLC  
3321 SW 6TH ST  
TOPEKA, KS 66606  
[glenda@caferlaw.com](mailto:glenda@caferlaw.com)

TERRI PEMBERTON, ATTORNEY  
CAFER PEMBERTON LLC  
3321 SW 6TH ST  
TOPEKA, KS 66606  
[terri@caferlaw.com](mailto:terri@caferlaw.com)

DANIEL P. FRIESEN, PRESIDENT  
IDEATEK TELCOM, LLC  
111 OLD LMILL LN  
PO. BOX 407  
BUHLER, KS 67522  
[daniel@ideatek.com](mailto:daniel@ideatek.com)

WALKER HENDRIX, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
[w.hendrix@kcc.ks.gov](mailto:w.hendrix@kcc.ks.gov)

MICHAEL NEELEY, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
[m.neeley@kcc.ks.gov](mailto:m.neeley@kcc.ks.gov)

MARK E. CAPLINGER  
MARK E. CAPLINGER, P.A.  
7936 SW INDIAN WOODS PL  
TOPEKA, KS 66615-1421  
[mark@caplingerlaw.net](mailto:mark@caplingerlaw.net)

  
Colleen R. Jamison

## **ATTACHMENT A**

Blue Valley Tele-communications, Inc.  
Craw-Kan Telephone Cooperative, Inc.  
Golden Belt Telephone Association, Inc.  
Haviland Telephone Company  
JBN Telephone Company  
KanOkla Networks  
Madison Telephone, LLC  
MoKan Dial, Inc.  
Peoples Telecommunications, LLC  
Pioneer Communications  
Rainbow Telecommunications Association  
S&A Telephone Company  
S&T Telephone Cooperative Association  
South Central Telephone Association  
Tri-County Telephone Association  
United Telephone Association