

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

In the Matter of a General Investigation for Tru )  
Mobility, Inc. to Show Cause Why this ) Docket No. 21-TMIV-449-SHO  
Commission Should Not Levy Sanctions, )  
Penalties, and Fines for Non-Compliance with )  
Kansas Statutes and Commission Orders )

**NOTICE OF FILING OF VPS MEMO REGARDING OUTSTANDING LIABILITIES**

The Staff of the Kansas Corporation Commission (Staff and Commission, respectively) hereby submits the attached Kansas Universal Service Fund (KUSF) Memo prepared by Vantage Point Solutions (VPS), the current KUSF Administrator, dated August 29, 2022. In the KUSF Memo, VPS explains that as a result of several payments, Tru Mobility, Inc.'s outstanding balance is now \$15,270.03. Staff requests that the Commission issue an Order noting the payments so that the Commission's Fiscal Division can revise the amount subject to collections.

WHEREFORE, Staff respectfully requests that the Commission issue an Order noting Tru Mobility, Inc.'s payments so that the Commission's Fiscal Division can revise the amount subject to collections.

Respectfully Submitted,

/s/ Michael Neeley  
Michael Neeley, S. Ct. #25027  
Senior Litigation Counsel  
Kansas Corporation Commission  
1500 S.W. Arrowhead Road  
Topeka, Kansas 66604-4027



## KUSF MEMO

Date: August 29, 2022

To: Sandy Reams, Assistant Chief of Telecommunications

From: Nicole Stephens, KUSF Compliance Manager

RE: Docket No. 21-TMIV-499-SHO  
In the Matter of a General Investigation for Tru Mobility, Inc. to Show Cause Why this Commission Should Not Levy Sanctions, Penalties, and Fines for Non-Compliance with )  
Kansas Statutes and Commission Orders

### **BACKGROUND**

This Memorandum provides updated KUSF reporting information to the Kansas Corporation Commission (Commission) for Tru Mobility, Inc. (Tru), KUSF Account No. KS006449, as an update to its previous Memo dated April 4, 2022.

On June 10, 2021, the Commission issued an Order to Show Cause (Show Cause Order) to open Docket 21-TMIV-499-SHO and address Tru's non-compliance with its Kansas Universal Service Fund (KUSF) obligations. The Commission directed Tru to respond as to why it should not be subject to penalties and fines for failing to fulfill its statutory obligations, report its January and February 2018 revenues, pay \$5,679.26 of assessment contributions, and pay \$11,076.71 of penalties to the KUSF within 30 days of the Order. In response, Tru requested the Commission waive all KUSF penalties and allow Tru to remit monthly payments of \$1,000 towards its delinquent KUSF balance or reduce the KUSF penalties.

On July 13, 2021, Tru filed a second Response in which it requested the Commission review the penalties and interest it was levied by the KUSF Administrator and provide relief of such penalties and interest.

On April 8, 2022, Staff filed a second Report and Recommendation (R&R), recommending the Commission: (1) find Tru non-compliant with the Commission's Show Cause Order; (2) find that Tru owes \$4,274.37 of assessment contributions and \$13,495.66 of penalties to the KUSF; (3) deny Tru's requests to remit monthly payments and waive or reduce its KUSF penalties; (4) direct VPS to stop accruing additional penalties for Tru; and (5) give Tru 45 days to pay its delinquent KUSF balance before the Commission initiates collection actions against the Company.

Tru did not respond to Staff's second R&R. On April 28, 2022, the Commission issued an *Order Assessing Penalties for Failure to Comply with K.S.A. 66-2008(a)*. The Commission determined 1) Tru failed to comply with Commission's Show Cause Order; (2) Tru's requests to remit monthly payments and waive or reduce its KUSF penalties was denied; and 3) Tru has 45 days from the date of the Order to pay

\$4,274.37 of KUSF assessment contributions and \$13,495.66 of penalties to the KUSF. The Commission further found that if Tru did not pay the amounts owed to the KUSF, the Commission would initiate collections actions against Tru. The Commission also directed VPS to stop accruing additional penalties for Tru.

On May 28, 2022, Tru remitted a payment of \$871.21 to the KUSF for assessment owed for its March 2021 – February 2022 (FY 25) annual true-up and March 2022 – February 2023 (FY 26) annual assessment. As a result, Tru's KUSF balance is \$16,270.03.

On June 24, 2022, the Commission's Fiscal Division confirmed to VPS that it had submitted Tru's KUSF outstanding balance of \$16,270.03 to collections. The purpose of this Memo is to notify the Commission that on August 26, 2022, Tru remitted a payment of \$1,000 to the KUSF, thus reducing its outstanding balance to \$15,270.03.

**CERTIFICATE OF SERVICE**

21-TMIV-449-SHO

I, the undersigned, certify that a true and correct copy of the above and foregoing Notice of Filing of VPS Memo Regarding Outstanding Liabilities was served via electronic service this 29th day of August, 2022, to the following:

BRIAN G. FEDOTIN, GENERAL COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
b.fedotin@kcc.ks.gov


MICHAEL NEELEY, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
m.neeley@kcc.ks.gov

YVONNE ROKAW, CONTROLLER  
TRU MOBILITY INC  
P.O. BOX 644150  
VERO BEACH, FL 32964  
yrokaw@trumobility.com

SHOMARI JACKSON  
VANTAGE POINT SOLUTIONS  
2930 MONTVALE DRIVE SUITE B  
SPRINGFIELD, IL 62704  
shomari.jackson@vantagepnt.com

DENNIS SMITH  
VANTAGE POINT SOLUTIONS  
2930 MONTVALE DRIVE STE B  
SPRINGFIELD, IL 62704  
dennis.smith@vantagepnt.com

NICOLE STEPHENS, KUSF ADMINISTRATOR MANAGER  
VANTAGE POINT SOLUTIONS  
2930 MONTVALE DRIVE SUITE B  
SPRINGFIELD, IL 62704  
nicole.stephens@vantagepnt.com

  
Ann Murphy