

² *Id.*, pp. 1-2.

3. On May 15, 2018, Cable One filed its Response to GVNW Audit Report, arguing the monthly Carrier Remittance Worksheets (CRW) that it submits to the Commission under penalty of perjury states it uses a traffic study to determine its KUSF contribution obligations are sufficient and render an affidavit unnecessary.³ Additionally, Cable One notes that when it initially registered with GVNW in December 2013, neither GVNW nor the Commission expressed any concerns over Cable One's submitting its CRW for December 2008-2013 to determine the associated KUSF assessments and late payments due.⁴

4. On May 18, 2018, GVNW filed a second Audit Report to address Cable One's Response, asserting: (1) K.S.A. 66-2071(b)(1) provides VoIP services are subject to the KUSF obligations set forth in K.S.A. 66-2008;⁵ (2) in its Amended Order in the 12-GIMT-168-GIT Docket dated February 12, 2013, the Commission reaffirmed that carriers electing to use a revenue allocation methodology other than the Safe Harbor, must include an affidavit as part of its filing;⁶ and (3) Cable One agrees it has not submitted a filing that complies with the Commission's directive from the 07-GIMT-432-GIT Docket.⁷ GVNW reiterated its recommendation that the Commission direct Cable One to submit an affidavit from a Cable One officer affirming it uses a company specific traffic factor study to allocate its VoIP revenue between interstate and intrastate revenue, the time period involved, and that the methodology used for both FUSF and KUSF reporting purposes.⁸

5. On July 24, 2018, the Commission issued an Order adopting GVNW's Audit Report and Directing Cable One to (1) submit Audit True-ups from March through June 2016 and

³ Cable One, Inc. Response to GVNW Audit Report, May 15, 2018 ¶ 8.

⁴ *Id.*, ¶ 9.

⁵ Kansas Universal Service Fund Audit Report (Second Audit Report), May 18, 2018, p.4.

⁶ *Id.*, pp. 4-5.

⁷ *Id.*, p.4.

⁸ *Id.*

pay \$2,455.60 to the KUSF within 30-days of the issuance of the Commission Order; (2) submit an affidavit from a Cable One officer affirming it uses a company-specific traffic factor study to allocate VoIP revenue between the interstate and intrastate jurisdictions; and (3) give Cable One 30 days to pay a \$9,000 penalty for reporting violations.

6. On September 4, 2018, GVNW submitted a Kansas Universal Service Fund Compliance Report, informing the Commission that: (1) on August 20, 2018, Cable One paid the \$9,000 penalty and the \$2,455.60 it owed to the KUSF;⁹ and (2) on August 22, 2018, Cable One filed an affidavit from one of its officers affirming its traffic study methodology.¹⁰ Therefore, GVNW recommends the Commission find Cable One in compliance with the Commission's Order and close this Docket.¹¹

7. The Commission accepts GVNW's recommendation to find Cable One in compliance and to close this Docket.

THEREFORE, THE COMMISSION ORDERS:

A. GVNW's recommendation to find Cable One in compliance with the Commission's Order is accepted.

B. This Docket is closed.

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).¹²

D. The Commission retains jurisdiction over the subject matter and parties to enter further orders as it deems necessary.

⁹ Kansas Universal Service Fund Compliance Report, Sept. 4, 2018.

¹⁰ *Id.*

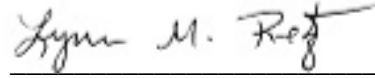
¹¹ *Id.*

¹² K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 09/11/2018

A handwritten signature in cursive script, reading "Lynn M. Retz", positioned above a horizontal line.

Lynn M. Retz
Secretary to the Commission

BGF/sb

CERTIFICATE OF SERVICE

18-COIC-039-KSF

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 09/11/2018.

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/S/ DeeAnn Shupe
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