

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

Before Commissioners: Shari Feist Albrecht, Chair
 Thomas E. Wright
 Jay Scott Emler

In the Matter of the Application of Missouri)
Network Alliance LLC dba Bluebird Network,)
LLC for a Certificate of Convenience and) Docket No. 14-MNAT-246-COC (IXC)
Authority to Provide Interexchange and Toll)
Services within the State of Kansas.)

**ORDER GRANTING CERTIFICATE OF CONVENIENCE AND AUTHORITY TO
PROVIDE INTEREXCHANGE SERVICE WITHIN THE STATE OF KANSAS**

NOW, the above-captioned matter comes before the State Corporation Commission of the State of Kansas ("Commission") for consideration and decision. Having reviewed its files and records and being duly advised in the premises, the Commission makes the following findings:

1. On October 28, 2013, Missouri Network Alliance LLC dba Bluebird Network, LLC ("MNA") filed an Application for a Certificate of Convenience and Authority to provide interexchange ("IXC") service within the State of Kansas. MNA is a Missouri Limited Liability Corporation located at 2005 W. Broadway Building A, Suite 110, Columbia, MO 65203. MNA's Application states that it intends to provide an array of wholesale and retail telecommunications services to businesses, CLECs, municipalities, ILECs, CATV providers, and residences in Kansas. Initially, service will be provided in exchanges currently served by AT&T and CenturyLink.

2. K.S.A. 66-131 states: "No common carrier or public utility... shall transact business in the state of Kansas until it shall have obtained a certificate from the corporation commission that public convenience will be promoted by the transaction of said business and

permitting said applicants to transact the business of a common carrier or public utility in this state.”

3. K.S.A. 66-2005(w) states in part:

[T]elecommunications carriers that were not authorized to provide switched local exchange telecommunications services in this state as of July 1, 1996, including cable television operators who have not previously offered telecommunications services, must receive a certificate of convenience based upon a demonstration of technical, managerial and financial viability and the ability to meet quality of service standards established by the commission. Any telecommunications carrier or other entity seeking such certificate shall file a statement, which shall be subject to the commission’s approval, specifying with particularity the areas in which it will offer service, the manner in which it will provide the service in such areas and whether it will serve both business customers and residential customers in such areas...

4. Commission Staff (“Staff”) submitted a Report and Recommendation in regards to the Application on March 6, 2013, attached hereto and made a part hereof by reference. Staff found that MNA is a Missouri Limited Liability Corporation properly registered with the Kansas Secretary of State’s Office, and is currently “active and in good standing” with the same. Staff found that MNA has adequate expertise to operate resold services and billing systems. Staff reviewed MNA’s financial data and found it was adequate to maintain operations. Staff found that all other aspects of MNA’s Application were acceptable with respect to the standards established through Staff’s review process. Finally, Staff stated that because MNA’s presence in Kansas would increase the consumer’s options for interexchange service, the general public will benefit from Commission approval of the Application. Therefore, Staff recommended approval of MNA’s Application to provide interexchange service in Kansas.

5. The Commission finds Staff’s findings and recommendations to be reasonable and hereby adopts the same.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. MNA's Application for a Certificate of Convenience and Authority to provide interexchange service within the State of Kansas is approved.

B. MNA shall notify the Commission of any changes in addresses or contact information, timely file annual reports, maintain current registration with the Kansas Secretary of State's Office, pay all Commission and Kansas Universal Service Fund assessments in a timely manner, follow the Telecommunications Carrier Code of Conduct, and report revenues to GVNW for assessment purposes. Failure to meet these requirements could result in the revocation of the Certificate of Convenience and Authority.

C. The parties have fifteen (15) days, plus three (3) days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 77-529(a)(1).

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

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair.; Wright, Com.; Emler, Com.

Dated: MAR 18 2014

ORDER MAILED MAR 19 2014

Kim Christiansen
Executive Director

MRN

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Shari Feist Albrecht, Chair
Thomas E. Wright, Commissioner
Jay Scott Emler, Commissioner

Sam Brownback, Governor

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

TO: Chair Shari Feist Albrecht
Commissioner Thomas E. Wright
Commissioner Jay Scott Emler

FROM: Kelly Mabon, Telecommunications Analyst
Christine Aarnes, Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: March 6, 2014

DATE SUBMITTED TO LEGAL: 3/6/14

DATE SUBMITTED TO COMMISSIONERS: 3/18/14

SUBJECT: Docket No. 14-MNAT-246-COC (IXC)
In the Matter of the Application of Missouri Network Alliance LLC dba
Bluebird Network, LLC for a Certificate of Convenience and Authority to
Provide Interexchange and Toll Services within the State of Kansas.

SUMMARY:

On October 28, 2013, Missouri Network Alliance LLC dba Bluebird Network, LLC (MNA) applied for Certification to provide Interexchange Services within the State of Kansas. Staff recommends Commission approval of this Application.

BACKGROUND:

The Commission derives its authority to supervise telecommunications public utilities from K.S.A. 66-1, 188. The Commission derives its authority to certificate and decertificate public utilities from K.S.A. 66-131.

Pursuant to K.S.A. 66-131, the Commission must review all certification and decertification Applications to determine whether the "public convenience" will be promoted by granting the request.

ANALYSIS:

MNA is a Missouri Limited Liability Corporation located at 2005 W. Broadway, Building A, Suite 110, Columbia, MO 65203. The Applicant intends to provide an array of facilities based, leased and resale competitive wholesale and retail telecommunications and transport services on a statewide basis including, but not limited to, dedicated and switched access services, private line services, enhanced services and voice telecommunications services, including but not limited to, residential and business local exchange, and interexchange services in Kansas. Applicant plans to offer basic access line service, PBX and DID Services, Number Portability, Calling Features and transport services. Applicant will provide wholesale voice and data service solutions to municipalities, CLECs, ILECs and CATV providers. Initially, service will be provided in exchanges in the service areas of AT&T and Centurylink.

MNA is a Missouri Limited Liability Company and was properly registered with the Kansas Secretary of State's office on September 4, 2013. They are currently "active and in good standing" with the Secretary's office.

Staff believes that adequate expertise exists to operate resold services and billing systems. The Company's financial data has been reviewed and appears to be adequate to maintain operations.

All other aspects of MNA's Application have been reviewed and everything is acceptable with respect to the standards established through Staff's review process.

To the extent that the Company's presence in Kansas would increase the consumer's options for interexchange services, Staff believes the general public would benefit from Commission approval of this Application.

RECOMMENDATION:

Staff recommends approval of MNA's Application to provide Interexchange Services within the State of Kansas.

The Company is reminded to notify the Commission immediately of any change in address or contact telephone numbers, file timely annual reports, maintain current registration with the Kansas Secretary of State's Office, and pay all Commission and Kansas Universal Service Fund assessments in a timely manner.

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
DAVID G. WINTER, SENIOR CONSULTANT GVNW CONSULTING, INC. 2270 LA MONTANA WAY PO BOX 25969 COLORADO SPRINGS, CO 80936		
MICHAEL NEELEY, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		
TERRI K FIRESTEIN Missouri Network Alliance LLC D/B/A Bluebird Network, LLC CCG CONSULTING LLC 10806 GARRISON HOLLOW ROAD CLEAR SPRING, MD 21722		

ORDER MAILED **MAR 19 2014**

The Docket Room hereby certified that on this _____ day of _____, 20____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.