

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Shari Feist Albrecht, Chair
Jay Scott Emler, Commissioner
Pat Apple, Commissioner

In the Matter of the Application of United Telephone)
Companies of Kansas d/b/a CenturyLink for Permission to) Docket No.
Transfer Territory from the Edgerton Exchange to the Gardner) 16-UTDT-072-CXB
Exchange.)

CERTIFICATE AND ORDER

NOW, the above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas (Commission). The Commission, after giving due consideration to the application and being fully advised in the premises, finds and concludes as follows:

1. The application in the instant docket was filed with this Commission on August 12, 2015. A public hearing was not held on the instant application.
2. United Telephone Companies of Kansas d/b/a CenturyLink (Applicant) requests permission to transfer the following described area from its Edgerton, Kansas exchange to its Gardner, Kansas exchange:

Beginning at a point ¼ mile north of the southeast corner of Section 6, T14S, R22E, Johnson County, Kansas; thence east ¼ mile; thence south 1 ¼ mile; thence west ¼ mile; thence north 1 ¼ mile to the point of beginning.

3. Applicant states, in its application, that a portion of land located along the Edgerton-Gardner boundary is divided by two different wire centers, with only the Gardner wire center having the capability to provide high-speed Internet service to its customers. The proposed change will move the wire center boundary to the west one-quarter mile, which will allow the eleven currently platted lots to be served by the Gardner wire center once the area is

developed. This move does not impact existing customers, as there are currently no homes or existing CenturyLink facilities within the scope of this change.¹

4. With the granting of this instant application, the total area certificated to Applicant as its Edgerton, Kansas exchange will be described as follows:

EDGERTON, KANSAS EXCHANGE

Beginning at a point 1/8 mile west of the northeast corner of Section 2, T14S, R21E, Johnson County, Kansas; thence east 1 7/8 miles; thence south 3/4 mile; thence east 1/4 mile; thence south 1 1/4 miles; thence east 1/4 mile; thence south 2 1/4 miles; thence east 5/8 mile; thence south 2 miles; thence east 7/8 mile to a point 1/4 mile south and 1/4 mile west of the northeast corner of Section 4, T15S, R22E; thence south 1/4 mile; thence east 1 mile; thence south 3/8 mile; thence east approximately 1/4 mile to the south right-of-way line of Interstate Highway 35 in Section 2, T15S, R22E, Johnson County; thence southwesterly along said right-of-way line to the west line of Section 10, T15S, R22E; thence south approximately 3/8 mile to a point 1/8 mile north of the southwest corner of Section 10, T15S, R22E; thence west 1/4 mile; thence south 3 5/8 miles; thence west 2 miles; thence north 3/4 mile; thence west 1/2 mile; thence north 1 1/2 miles; thence west 1 mile; thence north 3/4 mile; thence west 1 mile; thence north 1 mile; thence west 3/4 mile; thence north 1 mile; thence west 1/4 mile; thence north 5 miles; thence east 1 1/4 miles; thence north 1 1/8 miles; thence east 3/8 mile; thence north 3/8 mile to a point of beginning.

5. With the granting of this instant application, the total area certificated to Applicant as its Gardner, Kansas exchange will be described as follows:

GARDNER, KANSAS EXCHANGE

Beginning at a point 1/4 mile west of the northeast corner of Section 6, T14S, R22E, Johnson County, Kansas; thence north 1 mile; thence east 1/4 mile; thence north 1 mile; thence east 1 mile; thence north 1 mile; thence east 1 1/2 miles; thence north 1/2 mile; thence east 1 mile; thence south 1/2 mile to the center of the south side of Section 14, T13S, R22E; thence east 1/2 mile; thence south 1/4 mile; thence east 3/4 mile; thence south 3/4 mile; thence east 1/4 mile; thence south 1/4 mile; thence east 1 1/2 miles to a point 1/4 mile south and 1/2 mile east of the northwest corner of Section 29, T13S, R23E; thence south to a point 300 feet south of the center of the south side of Section 29, T13S, R23E; thence east to a point 300 feet south and 150 feet west of the northeast corner of Section 32, T13S, R23E; thence south to a point 150 feet west of the southeast corner of

¹ Application (August 12, 2015).

Section 32, T13S, R23E; thence west 300 feet; thence south 1/4 mile; thence east 300 feet; thence south approximately 1 3/4 miles to the north side of 159th St. and 150 feet west of the east side of Section 8, T14S, R23E; thence west along the north side of 159th Street to a point 1/4 mile east of the west side of Section 8, T14S, R23E; thence following the New Century Aircenter property line north approximately 1/2 mile to a point 1/4 mile east and 1/2 mile north of the southwest corner of Section 8, T14S, R23E; thence following the New Century Aircenter property line west 1 mile to a point approximately 600 feet north of the southeast corner of Section 7, T14S, R23E; thence south 1 1/4 miles; thence southwesterly to a point 1/2 mile north and 1/4 mile west of the southeast corner of Section 24, T14S, R22E; thence east approximately 1/4 mile to the BNSF Railway; thence south along said railway to the north side of E Lincoln Ln; thence east to N Stone Creek Dr; thence following N Stone Creek Dr to the north and east to the center median at the intersection with New Century Pkwy; thence following New Century Pkwy south to the north side of W Old 56 Hwy; thence in a northeasterly direction along the north side of U. S. Highway 56 to where the New Century Aircenter property line turns left (north); thence north to a point 400 feet east of the southwest corner of Section 17, T14S, R23E; thence east to the center of the south side of Section 17, T14S, R23E; thence north along the New Century Aircenter property line approximately 3,128 feet to where the property line turns right (east); thence east 1,155 feet to where the property line turns north; thence north 660 feet to where the property line turns west; thence west 1,155 feet to where the property line turns north; thence north to the south side of 159th St.; thence east 1/2 mile along the south side of 159th St.; thence north to the northwest corner of Section 16, T14S, R23E; thence east to a point 150 feet west of the northeast corner of Section 16, T14S, R23E; thence south to a point 150 feet north and 150 feet west of the southeast corner of Section; 16, T14S, R23E; thence east 1 mile; thence south 300 feet to a point 150 feet south and 150 feet west of the northeast corner of Section 22, T14S, R23E; thence east 810 feet; thence south to a point 1/8 mile east of the southwest corner of Section 23, T14S, R23E; thence west 7/8 mile; thence south 1/4 mile; thence west 1/4 mile; thence south. 1/2 mile; thence west 1/8 mile; thence south 2 1/8 miles; thence west 1 5/8 miles to a point 1/4 mile east and 1/8 mile north of the southwest corner of Section 5, T15S, R23E; thence south 5/8 mile; thence west 3/8 mile; thence south 1 mile; thence west 1/8 mile; thence south 3/4 mile; thence west 1/4 mile; thence south 1/4 miles; thence west 5/8 mile; thence south 5/8 mile; thence east 5/8 mile; thence south 1 5/8 miles to a point 1/4 mile north and 1/2 mile east of the southwest corner of Section. 31, T15S, R23E, Miami County, Kansas; thence west 1 mile; thence south 1/2 mile; thence west approximately 5/8 mile to a point 1/4 mile south and 1/2 mile west of the northeast corner of Section 1, T16S, R22E; thence south 5/8 mile; thence west 1/2 mile; thence north 5/8 mile; thence west 1 mile; thence north 1/4 mile; thence west approximately 3/4 mile to a point 1/4 mile west of the southeast corner of Section 33, T15S, R22E; thence north 4 1/8 miles; thence east 1/4 mile; thence north approximately 3/8 mile to the south right-of-way line of Interstate Highway-35 on the west line of Section 10, T15S, R22E; thence in a northeasterly direction along said right-of-way line to the intersection of the right-of-way line and the

west side of Section 2, T15S, R22E; thence west approximately 1/4 mile to a point 1/4 mile west and 1/8 mile north of the southeast corner of Section 3, T15S, R22E; thence north 3/8 mile; thence west 1 mile; thence north 1/4 mile to a point 1/4 mile south and 1/4 mile west of the northeast corner of Section 4, T15S, R22E; thence west 7/8 mile; thence north 2 miles; thence west 5/8 mile; thence north 2 1/4 miles; thence west 1/4 mile; thence north 1 1/4 mile; thence west 1/4 mile; thence north 3/4 mile to the point of beginning.

6. The Commission finds that Applicant should be issued a Certificate of Convenience and Authority to transact the business of a telephone public utility in the area described in Finding No. 2 above in its Gardner, Kansas exchange in accordance with the provisions of K.S.A. 66-131. Correspondingly, the area described in Finding No. 2 above should be deleted from Applicant's Edgerton, Kansas exchange.

7. The Commission further finds that Public convenience will be promoted by granting the instant application enhancing Applicant's ability to provide high-speed Internet service to future customers within an expanded Gardner, Kansas exchange.

IT IS, THEREFORE, BY THE COMMISSION CERTIFIED AND ORDERED THAT:

A. The application in the instant docket be, and the same is hereby granted and United Telephone Companies of Kansas d/b/a CenturyLink is hereby issued a Certificate of Convenience and Authority to transact the business of a telephone public utility in the area described in Finding No. 2 above, which area shall be included and served within the company's Gardner, Kansas exchange. The area described in Finding No. 2 above is hereby deleted from Applicant's Edgerton, Kansas exchange.


B. A party may file a petition for reconsideration of this Order within 15 days from the date of service of this Order. If service is by mail, service is complete upon mailing, and three (3) days shall be added to the above time frame. K.S.A. 66-118b; K.S.A. 2014 Supp. 77-529.

C. The Commission retains jurisdiction of the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary.

BY THE COMMISSION IT IS SO CERTIFICATED AND ORDERED.

Dated: **SEP 10 2015**

Feist Albrecht, Chair; Emler, Commissioner; Apple, Commissioner.


Order Mailed Date **SEP 11 2015**

Amy L. Gilbert
Secretary to the Commission

CA

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

| NAME AND ADDRESS | NO. CERT. COPIES | NO. PLAIN COPIES |
|---|------------------------|------------------------|
| OTTO NEWTON, LITIGATION COUNSEL 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 ***Hand Delivered*** | | |
| ROBYN CRICHTON, TARIFF ANALYST UNITED TELEPHONE CO. OF KANSAS D/B/A CENTURYLINK 1D218 600 NEW CENTURY PKWY NEW CENTURY, KS 66031 | | |

Order Mailed Date**SEP 11 2015**

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.