## BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

In the Matter of the Audit of Elkhart Telephone	)	
Company, Inc. by the Kansas Universal Service	)	
Fund (KUSF) Administrator Pursuant to K.S.A.	)	Docket No. 25-ELKT-108-KSF
66-2010(b) for KUSF Operating Year 27, Fiscal	)	
Year March 2023-February 2024.	)	

#### NOTICE OF COMPLIANCE FILING AND AFFIDAVIT

COMES NOW Elkhart Telephone Company, Inc. ("Elkhart") and files this notice with the Kansas Corporation Commission ("Commission") that it has corrected the deficiencies as set forth in the February 19, 2025 Audit Report ("Audit Report") of Vantage Point Solutions ("VPS"), as required by the Commission's March 4, 2025 Order Adopting Audit Report ("Order").

- 1. The Audit Report makes the following recommendations recited at paragraph 3 of the Commission's Order:
  - a. Update its billing system to exclude KUSF surcharge collection from Business and Residential Voicemail revenues; and
  - b. Update its KUSF reporting procedures to exclude reporting of Business and Residential Voicemail revenues; and
  - c. File an affidavit, signed by an officer of the Company, attesting that the Company:
    - i. Corrected its KUSF reporting procedures to exclude Business and Residential Voicemail revenues from its reporting revenues.
    - ii. Corrected its billing system to exclude KUSF surcharge collection from
       Business and Residential Voicemail revenues;
  - 2. On February 18, 2025, Elkhart corrected its KUSF reporting procedures to exclude

Business and Residential Voicemail revenues from its reporting revenues.

- 3. Also on February 18, 2025, Elkhart corrected its billing system to exclude KUSF surcharge collection from Business and Residential Voicemail revenues.
- 4. Attached hereto is an Affidavit executed by an Officer of the Company attesting that Elkhart has taken all corrective actions as ordered by the Commission.
- 5. Accordingly, Elkhart has timely corrected the deficiencies as set forth in the Audit Report within the Commission's March 4, 2025 Order.
- 6. Elkhart understands that VPS will file a Compliance Report with the Commission within60 days of the March 4, 2025 Order to confirm completion of the actions directed by the Commission.

WHEREFORE Elkhart respectfully files this notice of compliance with the Commission's Order.

James G. Flaherty, #11177

ANDERSON & BYRD, LLP

216 S. Hickory ~ P.O. Box 17

Ottawa, Kansas 66067

(785) 242-1234, telephone

(785) 242-1279, facsimile

 $\underline{jflaherty@andersonbyrd.com}$ 

Attorneys for Elkhart Telephone Company, Inc.

#### **VERIFICATION**

#### STATE OF KANSAS, COUNTY OF FRANKLIN, ss:

James G. Flaherty, of lawful age, being first duly sworn on oath, states: That he is an attorney for Elkhart Telephone Company, Inc.; that he has read the above and foregoing Notice of Compliance Filing and Affidavit, knows the contents thereof; and that the statements contained therein are true.

James G. Flaherty

SUBSCRIBED AND SWORN to before me this 26th day of March, 2025.



Ronda RossmanNotary Public

Appointment/Commission Expires:

#### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing was sent via U.S. Mail, postage prepaid, hand-delivery, or electronic mail, this 26<sup>th</sup> day of March, 2025, addressed to:

BECKY SCOTT SHOMARI JACKSON shomari.jackson@vantagepnt.com

AHSAN LATIF DENNIS SMITH

Ahsan.Latif@ks.gov dennis.smith@vantagepnt.com

DAWN CARTELLONE NICOLE STEPHENS

<u>dawn.cartellone@vantagepnt.com</u>

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WENDY HARPER wendy.harper@vantagepnt.com

lames G. Flaherty

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### **AFFIDAVIT OF MIKE WIEGERS**

- I, Mike Wiegers, being over the age of 18, depose and state as follows:
- 1. I am Chief Operations Officer of Elkhart Telephone Company, Inc. ("Elkhart"). My business address is 610 S. Cosmos, P.O. Box 817, Elkhart, Kansas 67950. I am authorized to make this Affidavit on behalf of Elkhart.
- 2. As recommended by Vantage Point Solutions ("VPS") in its February 19, 2025 Audit Report ("Audit Report") and as required by the Commission's March 4, 2025 Order Adopting Audit Report, I hereby attest as follows:
  - a. By February 18, 2025, Elkhart corrected its KUSF reporting procedures to exclude Business and Residential Voicemail revenues from its reporting revenues; and
  - b. By February 18, 2025, Elkhart corrected its billing system to exclude KUSF surcharge collection from Business and Residential Voicemail revenues.
- 3. I have knowledge of the matters set forth above, which are true and correct to the best of my information, knowledge and belief.

Executed this <u>2546</u> day of March, 2025.

Mike Wiegers

### STATE OF KANSAS, COUNTY OF MORTON, ss:

SIGNED and SWORN TO before m	e this $25^{\cancel{1}}$	day of Marc	h, 2025, b	y Mike V	Wiegers,
Chief Operations Officer of Elkhart Telephor	ne Company,	Inc.			,
/	Day	1	9/	$\cup \cap A$	
/\	IN Day	Y A NO	\ \\\\\		

Appointment/Commission Expires: 04/07/2025

Notary Public