

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

In the Matter of An Investigation to Determine)
the Assessment Rate and the Affordable Local)
Service Rates for Rate-of-Return Regulated) Docket No. 19-GIMT-056-GIT
Carriers for the Twenty-Third Year of the)
Kansas Universal Service Fund, Effective)
March 1, 2019.)

**MOTION TO CANCEL JANUARY 15, 2019 EVIDENTIARY HEARING AND RENDER
DECISION BASED UPON PREFILED TESTIMONY**

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its motion requesting the Commission to cancel the Evidentiary Hearing scheduled January 15, 2019, and to render a decision based upon the pre-filed direct testimony of Sandra K. Reams dated December 14, 2018, with attachments. In support of its Motion, Staff states as follows:

1. On December 14, 2018, Sandra K. Reams filed direct testimony in this proceeding with several attachments. Ms. Reams' pre-filed testimony recommended that the Commission adopt a \$17.75 residential and \$20.75 single-line affordable rate for the RLECs, direct the RLECs to file revised local service tariffs in this Docket no later than January 29, 2019, with the local service rates effective March 1, 2019, and an assessment rate of 6.88% effective March 1, 2019 for the KUSF Year 23.
2. Ms. Reams' pre-filed testimony explained how the figure stated above was derived, and provided work papers detailing her calculations.
3. At the time of this filing, no parties to this docket expressed opposition to this Motion. Staff believes a hearing is unnecessary on this matter as the issues are limited and

straightforward. No other parties to the docket pre-filed testimony. Staff believes this matter can be resolved efficiently in a summary proceeding before the Commission.

4. The Kansas Administrative Procedure Act (KAPA) allows the Commission to render decisions without holding a hearing, namely in summary proceedings.¹ K.S.A. 77-541(a) provides that “[t]he state agency record for a summary proceeding consists of any documents regarding the matter that were considered . . . by the state agency.”

5. Staff believes that proper foundation for Ms. Reams’ testimony has been laid in her pre-filed testimony, demonstrating the requisite personal information, experience, training, and education, necessary for consideration.² Therefore, the testimony should be accepted into the record in this docket for Commission consideration.

6. The Commission’s use of a summary proceeding in this matter would not preclude any party from subsequently requesting a hearing on the order.³

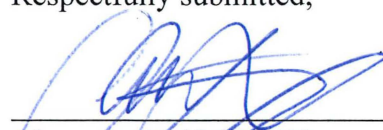
WHEREFORE, for the reasons stated above, Staff respectfully requests that the Commission issue an order cancelling the Evidentiary Hearing scheduled in this proceeding for January 15, 2019, and rendering a decision based upon the pre-filed testimony of Sandra K. Reams.

¹ See K.S.A. 77-537.

² See K.S.A. 60-419.

³ See K.S.A. 77-537(a).

Respectfully submitted,



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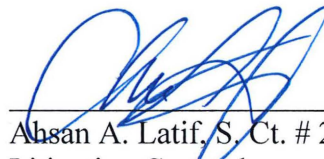
a.latif@kcc.ks.gov (E-mail)

For Commission Staff

VERIFICATION

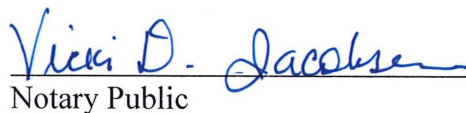
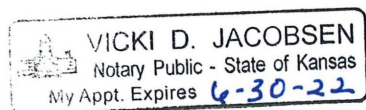
STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

Ahsan A. Latif, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion to Cancel January 15, 2019 Evidentiary Hearing and Render Decision Based Upon Prefiled Testimony* and attests that the statements therein are true and correct to the best of his knowledge, information and belief.



Ahsan A. Latif, S. Ct. # 24709
Litigation Counsel
The State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 7th day of January, 2019.



Notary Public

My Appointment Expires: June 30, 2022