

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

Before Commissioners: Dwight D. Keen, Chair
 Shari Feist Albrecht
 Jay Scott Emler

In the Matter of the Complaint of Ideatek)
Telecom, LLC against Wamego)
Telecommunications Company, Inc., to) Docket No. 19-WTCT-393-COM
Require Wamego to (1) Port Customers and)
(2) Refrain from Taking any Action that)
Could Result in the Blocking of Customer)
Calls.)

ORDER APPOINTING EXAMINER PURSUANT TO K.A.R. 82-1-220a(f)

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

1. On March 26, 2019, Ideatek Telecom, LLC (Ideatek) filed a Complaint and Request for Interim Emergency Relief and Expedited Review seeking an order mandating Wamego Telecommunications Company, Inc. (Wamego) to port Ideatek's customers and prevent Wamego from refusing to perform fundamental tasks relating to routing telephone calls over the Public Switched Telephone Network.¹

2. On January 25, 2019, Ideatek submitted porting requests to Wamego, which Wamego has failed to act upon.²

3. Ideatek asserts its Complaint is eligible for expedited treatment under K.A.R. 82-1-220a.³ Pursuant to K.A.R. 82-1-220a(f), the Commission may designate anyone from the Office

¹ Complaint and Request for Interim Emergency Order and Expedited Review and Motion to Assess Costs Pursuant to K.S.A. 66-1502, March 28, 2019, ¶ 7.

² *Id.*, ¶ 13.

³ *Id.*, ¶ 48.

of Legal Counsel, litigation counsel, or technical staff to serve as an examiner in this expedited proceeding. The designated examiner has discretion to determine whether expedited treatment is warranted.⁴ If the examiner finds expedited review is warranted, he shall schedule a meeting within 10 business days after the Complaint was filed.⁵ If the examiner determines expedited treatment is not warranted, he shall notify the parties in writing no more than 10 business days after the Complaint was filed.⁶

4. During the pendency of this Docket, the examiner shall oversee the discussions between the parties and may act as a mediator or negotiator and may issue an interim ruling.⁷ The interim ruling is considered a non-final order and remains in effect throughout the Complaint process.⁸

5. Pursuant to K.A.R. 82-1-220a(f), the Commission designates Brian G. Fedotin, Deputy General Counsel & Chief Appellate Counsel, 1500 SW Arrowhead Road, Topeka, KS 66604-4027, telephone number (785) 271-3105, b.fedotin@kcc.ks.gov to serve as the examiner in this Docket.

THEREFORE, THE COMMISSION ORDERS:

- A. Brian G. Fedotin is designated as the examiner in this Docket.
- B. 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).⁹
- C. The Commission retains jurisdiction over the subject matter and the parties to enter further orders as it deems necessary.

⁴ K.A.R. 82-1-220a(f).

⁵ *Id.*

⁶ K.A.R. 82-1-220a(g).

⁷ K.A.R. 82-1-220a(h).

⁸ *Id.*

⁹ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

BY THE COMMISSION IT IS SO ORDERED.

Keen, Chair; Albrecht, Commissioner; Emler, Commissioner

Dated: 04/04/2019



Lynn M. Retz
Secretary to the Commission

BGF

CERTIFICATE OF SERVICE

19-WTCT-393-COM

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 04/04/2019.

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