

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

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

In the Matter of the Audit of Birch Telecom of)
Kansas, Inc. by the Kansas Universal Service)
Fund (KUSF) Administrator Pursuant to K.S.A.) Docket No. 18-BTKT-033-KSF
2016 Supp. 66-2010(b) for KUSF Operating)
Year 20, Fiscal Year March 2016-February 2017.)

**ORDER ACCEPTING AND ADOPTING
COMPLIANCE REPORT AND CLOSING DOCKET**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and record, and being duly advised in the premises, the Commission finds and concludes as follows:

1. On July 31, 2018, the Commission issued an Order adopting and accepting the Audit Report of GVNW Consulting, Inc. (GVNW), the Administrator for the Kansas Universal Service Fund, in this docket.¹ As part of the Order, Birch Telecom of Kansas, Inc. (Birch), was directed to correct certain deficiencies in its reporting and to file a True-up Audit Report. Birch submitted an updated revised Carrier Remittance Worksheet (CRW) for the month of December 2016 as part of this process.

2. On August 16, 2018, GVNW apprised the Commission of corrections to Birch's previously corrected CRW and further modifications to the Birch assessments and penalties based on actual KUSF assessments collected from subscribers. The Commission approved GVNW's updated Audit Report as supplemented with Birch's final revision of its 2016 December CRW and

¹ Kansas Universal Service Fund Audit Report, Docket No. 18-BTKT-033-KSF, July 29, 2018 (as revised on August 3, 2018, showing certain non-confidential information Birch had agreed to disclose).

issued an Order on August 23, 2018, finalizing the extent of Birch's KUSF and payment obligations.

3. On September 27, 2018, GVNW issued a Compliance Report indicating Birch remitted payment of \$2,508.00 to the KUSF Administrator on August 30, 2018 and an additional \$1,700.00 penalty payment on September 27, 2018 to satisfy the Commission's Order of August 23, 2018. As a consequence, The Commission finds Birch is in compliance with the Order of August 23, 2018 and the Docket should be closed.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Commission accepts and adopts GVNW Consulting, Inc.'s Compliance Report filed on September 27, 2018, and this docket is hereby closed.

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).²

C. The Commission retains jurisdiction over Birch Telecom of Kansas, Inc., and the subject matter of this docket for the purpose of issuing such additional orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 10/16/2018



Lynn M. Retz
Secretary to the Commission

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² K.S.A. 66-118b; K.S.A. 77-503 (c) and K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

18-BTKT-033-KSF

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail and electronic service on 10/17/2018.

SHARYL FOWLER, MANAGER, REGULATORY
ADMINISTRATION
BIRCH TELECOM OF KANSAS, LLC.
115 GATEWAY DR
MACON, GA 31210
Fax: 816-300-3350
sharyl.fowler@lingo.com

WALKER HENDRIX, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3354
w.hendrix@kcc.ks.gov

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3354
a.latif@kcc.ks.gov

NICOLE STEPHENS, KUSF ADMINISTRATOR MANAGER
GVNW CONSULTING, INC.
2930 MONTVALE DRIVE, STE. B
SPRINGFIELD, IL 62704
Fax: 719-594-5803
nstephens@gvnw.com

DAVID G. WINTER, SENIOR CONSULTANT
GVNW CONSULTING, INC.
2270 LA MONTANA WAY, Ste 100
COLORADO SPRINGS, CO 80918
Fax: 719-594-5803
dwinter@gvnw.com

/S/ DeeAnn Shupe
DeeAnn Shupe
