

**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 Cancellation of All                      )  
Operating Certificates of Convenience                      )                      Docket No. 18-SLVC-541-CCS  
and Authority Previously Granted to                      )  
Silv Communication, Inc.                      )

**ORDER CANCELLING CERTIFICATE**

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 June 8, 2018, Silv Communication, Inc. (Silv) filed a request seeking cancellation of its Certificate of Convenience and Authority (Certificate) to provide Interexchange Telecommunication Services within the State of Kansas. Silv states that it no longer has customers in Kansas.<sup>1</sup>

2.        The Commission's authority to supervise telecommunications public utilities derives from K.S.A. 2017 Supp. 66-1,188. The Commission's authority to certificate and de-certificate public utilities derives from K.S.A. 2017 Supp. 66-131. Pursuant to K.S.A. 2017 Supp. 66-131, the Commission must review all certification and de-certification applications to determine whether the *public convenience* will be promoted by granting the request.

3.        On June 26, 2018, the Commission Staff (Staff) submitted its Report and Recommendation dated June 21, 2018, recommending the Commission cancel Silv's Certificate authorizing the company to provide interexchange services in Kansas. According to Staff, the

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<sup>1</sup> Silv Request.

company's Certificate authorizing it to provide Interexchange service in Kansas was issued by the Commission on December 12, 2006, in Docket No. 07-SLVC-410-COC. Staff states that Silv has no customers in Kansas and is current with regard to Kansas Universal Service Fund and Commission assessments. Staff recommends that Silv be reminded to pay all outstanding assessments as part of the cancellation of business in the State of Kansas. Concluding, Staff determines that with the numerous options for customers to choose an alternative Interexchange provider in Kansas, it is in the public interest to cancel Silv's Certificate.<sup>2</sup>

4. The Commission adopts Staff's analysis and recommendation of June 21, 2018, as stated in its Report and Recommendation, which is attached hereto and made a part hereof by reference, and finds that the public convenience will be promoted by granting Silv's request and cancelling the company's Certificate.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

(A). Silv Communication, Inc.'s request filed in this matter on June 8, 2018, is hereby granted and Silv's Certificate of Convenience and Authority authorizing the company to provide Interexchange service within the State of Kansas, issued December 12, 2006, in Docket No. 07-SLVC-410-COC, is hereby canceled.

(B). Silv is reminded to pay all outstanding assessments as part of the company's cancellation of business in the State of Kansas.

(C). 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).<sup>3</sup>

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

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<sup>2</sup> Report and Recommendation, page 2.

<sup>3</sup> K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

**BY THE COMMISSION IT IS SO ORDERED.**

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 07/10/2018

A handwritten signature in cursive script, reading "Lynn M. Retz", written in dark ink.

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Lynn M. Retz  
Secretary to the Commission

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# STATE OF KANSAS

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GOVERNOR JEFF COLYER, M.D.

SHARI FEIST ALBRECHT, CHAIR | JAY SCOTT EMLER, COMMISSIONER | DWIGHT D. KEEN, COMMISSIONER

## REPORT AND RECOMMENDATION UTILITIES DIVISION

**TO:** Chair Shari Feist Albrecht  
Commissioner Jay Emler  
Commissioner Dwight D. Keen

**FROM:** Paula Artzer, Senior Telecommunications Analyst  
Christine Aarnes, Chief of Telecommunications  
Jeff McClanahan, Director of Utilities

**DATE:** June 21, 2018

**SUBJECT:** Docket No. 18-SLVC-541-CCS  
In the Matter of the Cancellation of All Operating Certificates of Convenience  
and Authority Previously Granted to Silv Communication Inc.

### **EXECUTIVE SUMMARY:**

On June 8, 2018, Silv Communication, Inc. (Silv) filed a request with the Commission for the cancellation of the Certificate to provide Interexchange Services in Kansas. The Company provided a letter indicating Silv did not have any Kansas customers. Staff recommends the Commission grant this request to cancel Silv's Certificate.

### **BACKGROUND:**

Silv received a Certificate of Convenience to provide Interexchange Service in Docket No. 07-SLVC-410-COC approved December 12, 2006. The Commission derives its authority to supervise telecommunications public utilities from K.S.A. 66-1,188. The Commission derives its authority to certificate and de-certificate public utilities from K.S.A. 66-131.

### **ANALYSIS:**

Pursuant to K.S.A. 66-131, the Commission must review all certification and de-certification applications to determine whether the "public convenience" will be promoted by granting the request.

Silv was registered with the Kansas Secretary of State's office, the status is withdrawn as of May 2017. Per GVNW, the Company's KUSF account is current. All Commission invoices are paid as of June 20, 2018.

**RECOMMENDATION:**

Staff recommends the Commission cancel the Certificate of Convenience of Silv to provide Interexchange Services in Kansas as requested. Per the customer, Silv does not have any Kansas customers. Staff recommends Silv be reminded to pay all outstanding assessments as part of the cancellation of business in the state of Kansas. With the numerous options for customers to choose an alternative Interexchange Service provider in Kansas, it is in the public interest to cancel the Certificate.

## CERTIFICATE OF SERVICE

18-SLVC-541-CCS

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/hand delivered on 07/11/2018.

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SILV COMMUNICATION INC.  
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\*\*\*Hand Delivered\*\*\*

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/S/ DeeAnn Shupe  
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DeeAnn Shupe