

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

Before Commissioners: Andrew J. French, Chairperson  
Dwight D. Keen  
Annie Kuether

In the Matter of the Complaint of Rainbow )  
Communications, LLC Against Brightspeed of )  
Kansas, LLC for Failure to Locate Facilities ) Docket No. 24-UTDT-899-COM  
Under the Kansas Underground Utility Damage )  
Prevention Act K.S.A. 66-1801. )

**ORDER ASSESSING COSTS**

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 records and being fully advised in the premises, the Commission finds and concludes the following:

1. The Commission is authorized to assess the expenses of a proceeding, opened upon its own motion, on complaint, or upon an application to it, if the expenses attributable to the investigation exceed the sum of \$100.<sup>1</sup> Therefore, if the \$100 threshold is met in this matter, the Commission will assess these expenses against Brightspeed of Kansas, LLC.

2. Expenses attributable to this docket shall be assessed beginning three (3) days after the notice of assessment is given by service of this Order. Brightspeed of Kansas, LLC is hereby notified that it has the right to request a hearing regarding this assessment in accordance with the provisions of the Kansas administrative procedure act, K.S.A. 77-501 *et seq.*<sup>2</sup>

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<sup>1</sup> K.S.A. 66-1502 and 66-1513.

<sup>2</sup> K.S.A. 66-1502.

**THEREFORE THE COMMISSION ORDERS THAT:**

- A. Brightspeed of Kansas, LLC is assessed the costs of this proceeding.
- 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).<sup>3</sup>
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it may deem necessary.

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

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 07/09/2024



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Lynn M. Retz  
Executive Director

BWB/am

<sup>3</sup> K.S.A. 66-1502; K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-513(b).

## CERTIFICATE OF SERVICE

24-UTDT-899-COM

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 07/09/2024.

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