## THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners: Jay Scott Emler, Chairman

Shari Feist Albrecht

Pat Apple

In the Matter of the Audit of McLeod USA )
Telecommunications Services, L.L.C. by the)
Kansas Universal Service Fund (KUSF)
Administrator Pursuant to K.S.A. 2014 )
Docket No. 16-MLTT-034-KSF
Supp. 66-2010(b) for KUSF Operating )
Year 18, Fiscal Year March 2014-February )
2015.

# ORDER ACCEPTING AND ADOPTING GVNW CONSULTING, INC.'S SECOND 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 May 5, 2016, the Commission issued an Order Adopting GVNW Consulting, Inc.'s (GVNW) Audit Report and recommendations in this matter. The Commission's Order directed McLeod USA Telecommunications Services, L.L.C. (McLeod) to: (1) discontinue reporting calculated revenues to the Kansas Universal Service Fund (KUSF) no later than the end of calendar year 2016; and (2) to provide copies or screen images of customer bills to GVNW that clearly identify the KUSF surcharge as a separate line item within 45 days of the end of the 2<sup>nd</sup> quarter of 2016. Upon GVNW's receipt, review and verification of McLeod's bills or screen images provided in response to this requirement, GVNW was directed to submit a Compliance Report to the Commission.
- 2. On May 24, 2016, GVNW filed its First Compliance Report addressing item (2) in paragraph 1 above affirming that on May 24, 2016, McLeod provided to GVNW copies of

customer bills clearly demonstrating the KUSF surcharge as a separate line item satisfying the requirement under item (2) in paragraph 1 above.

- 3. On December 29, 2016, GVNW filed its Second Compliance Report confirming that McLeod, in fulfillment of the requirements associated with item (1) in paragraph 1 above, submitted to GVNW a notarized affidavit attesting that the company discontinued reporting calculated revenues to the KUSF effective with the November 2016 data reported in December 2016. McLeod's notarized affidavit was included as Attachment A to GVNW's Second Compliance Report. GVNW recommends that this docket be closed.
- 4. The Commission has reviewed GVNW's Second Compliance Report filed December 29, 2016, and finds that it should accept and adopt the same. The Commission further finds that McLeod has fulfilled the requirements of the Commission's May 5, 2016 Order and that this docket should therefore be closed.

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

- A. The Commission accepts and adopts GVNW Consulting, Inc.'s Second Compliance Report and recommendation filed December 29, 2016.
  - B. This docket is closed.
- C. The Commission retains jurisdiction over McLeod USA Telecommunications

  Services, L.L.C. 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.

Emler,	Chairman;	Albrecht,	Commissioner;	Apple,	Commissioner

Dated: \_\_\_\_\_JAN 1 0 2017

Amy L. Green
Secretary to the Commission

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Order Mailed Date

JAN 11 2017

### **CERTIFICATE OF SERVICE**

I, the undersigned, certify that the true copy of the attached C				
	rider has been served to the following parties by means of			
first class mail/hand delivered onJAN 1 0 2017	:			
David Eichler, VP - STATE GOVT AFFAIRS MCLEODUSA TELECOMMUNICATIONS SERVICES, LLC 400 W 15th St, Ste 440 Austin, TX 78701 david.eichler@windstream.com	OTTO NEWTON, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 Fax: 785-271-3167 o.newton@kcc.ks.gov ***Hand Delivered***			
DAVID G. WINTER, SENIOR CONSULTANT GVNW CONSULTING, INC. 2270 LA MONTANA WAY, Ste 200 COLORADO SPRINGS, CO 80918 Fax: 719-594-5803 dwinter@gvnw.com				
/S/ DeeAnn Shupe				
	DeeAnn Shupe			
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Order Mailed Date JAN 11 2017