

**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 Application of Brightspeed)
of Eastern Kansas, Inc. for a Name Change on) Docket No. 24-UTET-595-CCN
the Certificate of Convenience and Authority.)

ORDER APPROVING NAME CHANGE

NOW, the above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed its files and records and being duly advised in the premises, the Commission makes the following findings:

1. On February 26, 2024, Brightspeed of Eastern Kansas, Inc., (Brightspeed) filed an Application requesting authority to change its name on the records of the Commission to Brightspeed of Eastern Kansas, LLC. Brightspeed was previously certificated as an incumbent local exchange carrier (ILEC) in the State of Kansas. On March 15, 2024, Brightspeed filed an Amended Application correcting the date it filed to change its name with the Kansas Secretary of State.

2. The Commission derives its authority to supervise telecommunications public utilities from K.S.A. 66-1,188. Regarding the request for a company name change, the Commission, in accordance with K.S.A. 66-131 and K.S.A. 66-136, must determine whether the proposed change will promote the public convenience.

3. Commission Staff (Staff) submitted a Report and Recommendation dated March 20, 2024, advising the Commission to grant Brightspeed's Amended Application and approve the requested name change.

4. Granting the Amended Application will allow the records of the Commission to be updated consistent with Brightspeed's current name, Brightspeed of Eastern Kansas, LLC, and business entity registration filed with the Kansas Secretary of State. It is reported active and in good standing.

5. The Commission adopts Staff's analysis and recommendations of March 20, 2024, as stated in the Report and Recommendation, which is attached hereto and made a part hereof by reference, and finds that the Brightspeed's Amended Application should be granted. The Commission further finds that the requested name change to Brightspeed of Eastern Kansas, LLC, on the Certificate of Convenience and Authority will promote the public convenience and should be approved.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Amended Application of Brightspeed of Eastern Kansas, Inc., filed herein on March 15, 2024, is hereby granted, and the request for a name change to Brightspeed of Eastern Kansas, LLC, under its Certificate of Convenience and Authority thereby approved.

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).¹

C. 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.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 05/07/2024



Lynn M. Retz
Executive Director

BWB

¹ K.S.A. 66-1 18b; K.S.A. 77-503(c) and K.S.A. 77-531(b).

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

TO: Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

FROM: Jorge Soto-Gomez, Telecommunications Analyst
Steve Garrett, Deputy Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: March 20, 2024

SUBJECT: Docket No. 24-UTET-595-CCN

In the Matter of the Application of Brightspeed of Eastern Kansas, Inc. for a Name Change on the Certificate of Convenience and Authority.

EXECUTIVE SUMMARY

On February 26, 2024, Brightspeed of Eastern Kansas, Inc. (Brightspeed) filed an application requesting the Kansas Corporation Commission (Commission) to change its name in all Commission records to Brightspeed of Eastern Kansas, LLC. The Commission staff (Staff) recommends approval of this application.

An amended application was filed on March 15, 2024.

BACKGROUND

The Commission derives its authority to supervise local exchange carriers 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; which requires the Commission to review all certification and decertification applications to determine whether the public convenience and necessity will be promoted by granting the request.

On September 28, 2023, an Order was granted in Docket No. 24-UTET-207-CCN where United Telephone Company of Eastern Kansas d/b/a CenturyLink changed their name to Brightspeed of Eastern Kansas, Inc.

ANALYSIS

The name change was seamless to customers as there was no change in Brightspeed's rates and

services.¹ Staff reached out to the company through email to determine the method that was used to notify customers. A notice of the company name change was provided to customers in their bills. The name change will not affect the company’s contact information.

As an incumbent local exchange carrier (ILEC), Brightspeed of Eastern Kansas, LLC must file its General Terms and Conditions and its Local Exchange and Access tariffs. The company states it will file its tariffs under its new name within 90 days of an order being issued by the Commission or within any other timeframe ordered by the Commission.²

As of January 17, 2024, Brightspeed of Eastern Kansas, LLC is properly registered under its new name with the Kansas Secretary of State’s Office to engage in business in Kansas, and is currently “active and in good standing.”³ The company is current with its Commission assessments and Kansas Universal Service Fund (KUSF) reporting and payment obligations.

RECOMMENDATION

Staff recommends approval of Brightspeed’s application to change its name on its Certificate of Convenience and Authority to provide ILEC services within the state of Kansas. The company is reminded to notify the Commission immediately of any change in address or contact information, timely file annual reports, maintain current registration with the Kansas Secretary of State’s Office, and pay all Commission and KUSF assessments in a timely manner.

¹ Application, ¶ 3.

² *Id.*, ¶ 4.

³ Kansas Secretary of State, Brightspeed of Eastern Kansas, LLC, <https://www.sos.ks.gov/eforms/BusinessEntity/Search.aspx>, last viewed March 12, 2024.

CERTIFICATE OF SERVICE

24-UTET-595-CCN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 05/07/2024.

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/S/ KCC Docket Room
KCC Docket Room