#### THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:

Pat Apple, Chairman Shari Feist Albrecht Jay Scott Emler

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In the Matter of the Cancellation of All Operating Certificates of Convenience and Authority Previously Granted to Conectado.

Docket No. 18-CNDC-099-CCS

### **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 August 28, 2017, Conectado, Inc. (Conectado) filed a request seeking cancellation of its Certificate of Convenience and Authority (Certificate) to provide Interexchange telecommunication service within the State of Kansas. Conectado states that it no longer has customers or revenue in Kansas as of July 31, 2017.<sup>1</sup>

2. The Commission's authority to supervise telecommunications public utilities derives from K.S.A. 2016 Supp. 66-1,188. The Commission's authority to certificate and decertificate public utilities derives from K.S.A. 2016 Supp. 66-131. Pursuant to K.S.A. 2016 Supp. 66-131, the Commission must review all certification and decertification applications to determine whether the *public convenience* will be promoted by granting the request.

3. On September 11, 2017, the Commission Staff (Staff) submitted its Report and Recommendation dated August 31, 2017, recommending the Commission cancel Conectado's Certificate authorizing the company to provide interexchange services in Kansas. According to Staff, the company's Certificate authorizing it to provide Interexchange service in Kansas was

<sup>&</sup>lt;sup>1</sup> Conectado Request.

issued by the Commission on November 7, 2012, in Docket No. 13-CNDC-125-COC. Staff confirms that Conectado has no customers in Kansas and is current with regard to Kansas Universal Service Fund assessments. Staff recommends that Conectado 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 Conectado's Certificate.<sup>2</sup>

4. The Commission adopts Staff's analysis and recommendation of August 31, 2017, 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 Conectado's request and cancelling the company's Certificate.

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

(A). Conectado, Inc.'s request filed in this matter on August 28, 2017, is hereby granted and Conectado's Certificate of Convenience and Authority authorizing the company to provide Interexchange (IXC) service within the State of Kansas, issued November 7, 2012, in Docket No. 13-CNDC-125-COC, is hereby canceled.

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

(C). The parties have fifteen (15) days, plus three (3) days if service of this Order is by mail, from the date this Order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 2016 Supp. 77-529(a)(1).

<sup>&</sup>lt;sup>2</sup> Report and Recommendation, page 2.

(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.

# BY THE COMMISSION IT IS SO ORDERED.

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: \_\_\_\_\_SEP 1 4 2017

Lynn M. Retz Secretary to the Commission

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**Order Mailed Date** 

SEP 15 2017

Utilities Division 1500 SW Arrowhead Road Topeka, KS 66604-4027

Pat Apple, Chairman Shari Feist Albrecht, Commissioner Jay Scott Emler, Commissioner



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Sam Brownback, Governor

# REPORT AND RECOMMENDATION UTILITIES DIVISION

- TO: Chairman Pat Apple Commissioner Shari Feist Albrecht Commissioner Jay Scott Emler
- **FROM:** Paula Artzer, Senior Telecommunications Analyst Christine Aarnes, Chief of Telecommunications Jeff McClanahan, Director of Utilities
- **DATE:** August 31, 2017
- SUBJECT: Docket No. 18-CNDC-099-CCS In the Matter of the Cancellation of All Operating Certificates of Convenience and Authority Previously Granted to Conectado

## **EXECUTIVE SUMMARY:**

On August 28, 2017, Conectado, Inc. (Conectado) filed a request with the Commission for the cancellation of their Certificate to provide Interexchange services in Kansas. The letter indicated Conectado has no customers or revenue in Kansas as of July 31, 2017. Staff recommends the Commission grant this request to cancel Conectado's Certificate.

### **BACKGROUND:**

Conectado received a Certificate of Convenience to provide Interexchange services in Kansas in Docket No. 13-CNDC-125-COC, approved November 7, 2012. 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.

Conectado is registered with the Kansas Secretary of State and is currently "Active and in Good Standing". The Company's KUSF account and all assessments are current.

#### **RECOMMENDATION:**

Staff recommends the Commission cancel the Certificate of Convenience of Conectado, Inc. to provide Interexchange services in Kansas as requested. Conectado has no customers in Kansas. Staff recommends Conectado 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 provider in Kansas, it is in the public interest to cancel the Certificate.

### **CERTIFICATE OF SERVICE**

#### 18-CNDC-099-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

SEP 1 4 2017

A.M. SANTIAGO RODRIGUEZ, CONSULTANT FOR CONECTADO, INC. CONECTADO, INC. 3075 Breckinridge Blvd. Suite 425 Duluth, GA 30096 Fax: 877-943-2049 asantiago@rtcteam.net

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\*\*\*

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NICOLE STEPHENS, KUSF ADMINISTRATOR MANAGER GVNW CONSULTING, INC. 3220 PLEASANT RUN SUITE A SPRINGFIELD, IL 62711 Fax: 719-594-5803 nstephens@gvnw.com

/S/ DeeAnn Shupe DeeAnn Shupe

> Order Mailed Date SEP 15 2017