

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

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

In the Matter of Consolidated Communication)
of Kansas Company Filing Tariff Revisions to) Docket No. 25-SFLT-180-TAR
Grandfather Voice Advantage II Basic and)
600 Bundles.)

ORDER APPROVING TARIFF REVISIONS

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 October 2, 2024, Consolidated Communications of Kansas Company (“Consolidated Kansas” or “the Company”) filed an application (“Application”) requesting permission to add to Tariff Section 7 for Obsolete Services; to move Voice Advantage Bundles, Home Phone Bundles, and Small Business Bundles to Obsolete Services; and to grandfather the Voice Advantage II Basic and 600 Bundles (“Bundles”).

2. K.S.A. 66-1,190 requires that telecommunications public utilities doing business in Kansas shall:

... publish and file with the commission copies of all schedules of rates, joint rates, tolls, charges, classifications, and divisions of rates affecting Kansas traffic, either state or interstate...and...the commission shall have power to prescribe reasonable rules and regulations regarding the form and filing of all schedules, tariffs and classifications of all rates, joint rates, tolls and charges and all rules and regulations of such telecommunications public utilities.

The Commission derives its authority to review Local Exchange Carrier tariffs from K.S.A. 66-117(d), which reads in part:

...(d) Except as provided in subsection (c), no change shall be made in any rate, toll, charge, classification or schedule of charges or joint rates, or in any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, without the consent of the commission.

3. The Commission maintains authority to require telecommunications public utilities to maintain rates that are not unjust or unreasonably discriminatory.¹ Accordingly, the Commission conducts its investigation regarding the reasonableness of Consolidated Kansas' request revisions.

4. The Commission Staff ("Staff") issued a Report and Recommendation dated October 14, 2024, which is attached hereto and made a part hereof by reference, advising the Commission to grant the requested tariff revisions changing where Voice Advantage Bundles, Home Phone Bundles, and Small Business Bundles are located in the tariff; and to grandfather the Voice Advantage II Basic and 600 Bundles ("Bundles").²

5. Staff evaluated Consolidated Kansas' Customer Notice and found that it appropriately notified existing customers of the tariff revisions and that if the customer moves, changes or makes additions to existing bundles, this will result in the lost of the Voice Advantage II Basic or 600 Bundle.³

6. Based on its evaluation of Consolidated Kansas' Application and Customer Notice, Staff recommended that the Commission find that the Company's tariff revisions will reflect changes to grandfathered services no longer offered, which will have minimal impacts upon Kansas customers.⁴ Staff concluded that the Commission find that Consolidated Kansas' tariff revisions contained within its Application are just and reasonable because existing customers may

¹ K.S.A. 66-1,189.

² Report and Recommendation, Docket No. 25-SFLT-180-TAR (Oct. 14, 2024) ("Staff's R&R").

³ *Id.* at p. 2.

⁴ *Id.*

continue to use the grandfathered services until they move or elect to change services and the tariff revisions are revenue neutral.⁵

7. The Commission adopts Staff's analysis and recommendations as stated in the Report and Recommendation and finds that Consolidated Kansas' request should be granted. In conjunction with the request effective as of the date of the issuance of this order.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Consolidated Communications of Kansas Company's, request filed in this matter on October 2, 2024, is hereby granted with the effective as of the date of issuance of this order.

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).⁶

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: 11/14/2024



Lynn M. Retz
Executive Director

BWB

⁵ *Id.*

⁶ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

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

FROM: Drennan Dolsky, Telecommunications Analyst
Steve Garrett, Deputy Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: October 14, 2024

RE: Docket No. 25-SFLT-180-TAR

In the Matter of Consolidated Communication of Kansas Company Filing Tariff
Revisions to Grandfather Voice Advantage II Basic and 600 Bundles.

EXECUTIVE SUMMARY:

On October 2, 2024, Consolidated Communications of Kansas Company (“Consolidated Kansas” or “the Company”) filed an Application requesting permission to add Section 7 to its list of Obsolete Services; to move Voice Advantage Bundles, Home Phone Bundles, and Small Business Bundles to Obsolete Services; and to grandfather the Voice Advantage II Basic and 600 Bundles (“Bundles”). Consolidated Kansas stated that bill messages were sent to customers starting with the October 1, 2024, billing cycle.

Consolidated Kansas’ proposed effective date is November 1, 2024. Staff recommends approval of the Application.

BACKGROUND:

The Kansas Corporation Commission derives its authority to review Local Exchange Carrier tariffs from K.S.A. 66-117(d), which states in part:

(d) Except as provided in subsection (c), no change shall be made in any rate, toll, charge, classification or schedule of charges or joint rates, or in any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, without the consent of the commission.

In addition, K.S.A. 66-1,190 requires every public utility doing business in Kansas over which the Commission has control, to publish and file with the Commission copies of all schedules of rates,

joint rates, tolls, charges, classifications and divisions of rates affecting Kansas traffic, either state or interstate. The Commission has the power to prescribe reasonable rules and regulations regarding the form and filing of all schedules, tariffs and classifications of all rates, joint rates, tolls and charges and all rules and regulations of such telecommunications public utilities as the Commission determines reasonable and appropriate.

The KCC must review rates and terms for jurisdictional telecommunications services to ensure they are “just and reasonable” pursuant to K.S.A. 66-1,189. Further, K.S.A. 66-1,189 requires the KCC to ensure that all classifications, rules, and regulations regarding the services are not unduly discriminatory or preferential.

On October 10, 2024, the company submitted a revised page amending the Small Business Bundle rates indicated in Section 7, Sheet 7 previously approved in Docket No. 24-SFLT-413-TAR on March 8, 2024.

ANALYSIS:

Staff evaluated Consolidated Kansas’ Customer Notice and finds it is appropriate and in compliance with the Telecommunications Billing Standards.¹

The Company requests approval to make the following tariff changes:

- Add Section 7 for Obsolete Services.
- Move previously grandfathered bundles Voice Advantage Bundles, Home Phone Bundles, and Small Business Bundles to Obsolete Services.
- Grandfather the Voice Advantage II Basic and 600 Bundles.

Consolidated Kansas has stated in a letter that existing customers will be allowed to retain the Voice Advantage II Basic or 600 Bundle at their current location. However, if the customer moves, changes or makes additions to the existing bundles, this will result in the loss of the Voice Advantage II Basic or 600 Bundle.

Based upon its review, Staff has determined the Company’s tariff revisions are intended to accurately reflect changes to grandfathered services no longer offered, are revenue neutral, and have minimal impact upon existing Kansas customers because they may continue to use the grandfathered services until such time as they move or elect to change services. Therefore, the revisions are just and reasonable.

RECOMMENDATION:

Staff recommends the Commission approve Consolidated Kansas’ Application to implement changes to where the Voice Advantage, Home Phone Small Business, Voice Advantage II, and 600 Bundles are located in the tariff with an effective date of November 1, 2024, as requested by the Company.

¹ Docket No. 06-GIMT-187-GIT, Order Adopting Staff’s Report & Recommendation dated October 5, 2010.

CERTIFICATE OF SERVICE

25-SFLT-180-TAR

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 11/14/2024.

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/S/ KCC Docket Room

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