

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

Before Commissioners:                      Shari Feist Albrecht, Chair  
   Jay Scott Emler  
   Pat Apple

In the Matter of the Application of Wide       )  
Voice, LLC for a Certificate of Convenience)       )  
and Authority to Provide Local Exchange       )       Docket No. 14-WDVC-485-COC  
and Exchange Access Service Within the       )       (CLEC)  
State of Kansas.                                        )

**ORDER AND 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 fully advised in the premises, the Commission finds and concludes as follows:

**I. BACKGROUND**

1.       On April 22, 2014, Wide Voice, LLC (Wide Voice)   filed an Application requesting authority to provide competitive local exchange and switched access telecommunications services (CLEC) in the State of Kansas.

2.       On July 23, 2014, the Commission Staff (Staff) filed its Report and Recommendation dated July 14, 2014, providing its analysis and recommendation regarding Wide Voice's Application. According to Staff, Wide Voice requests authority to engage in the business of a CLEC within the territories served by AT&T Kansas and CenturyLink. The company currently operates in sixteen (16) states and offers service to customers in California, New York, and Nevada. Staff indicates that it has researched Wide Voice's Application as part of its normal approval process and that the company has addressed Staff's concerns. Based on its review and investigation of Wide Voice's Application, Staff recommends Commission approval of the company's Application. Report and Recommendation at page 1.

## **II. DISCUSSION AND ANALYSIS**

3. The Commission derives its authority to supervise telecommunications public utilities from K.S.A. 2013 Supp. 66-1,188. K.S.A. 2013 Supp. 66-131(a) provides in part that:

No common carrier or public utility...governed by the provisions of this act shall transact business in the State of Kansas until it shall have obtained a certificate from the corporation commission that public convenience will be promoted by the transaction of said business and permitting said applicants to transact the business of a common carrier or public utility in this state.

In determining whether the public convenience will be promoted by the transaction of said business, Staff points out that the Commission looks at a number of factors. Regarding such factors, Staff cites K.S.A. 2013 Supp. 66-2005(w) which provides in part that:

“...telecommunications carriers that were not authorized to provide switched local exchange telecommunications services in this state as of July 1, 1996...must receive a certificate of convenience based upon a demonstration of technical, managerial and financial viability and the ability to meet quality of service standards established by the commission”.

4. According to Staff, Wide Voice seeks authority to offer competitive telecommunications service, including switched access service, within the State of Kansas using its own facilities. The company may also utilize services available from other facilities-based carriers. The company will provide service to VoIP-enabled business customers and telephony applications providers on a retail, wholesale, carrier level, including Public Switched Telephone Network (PSTN) connectivity and intermediate carrier functions. Staff states that Wide Voice is requesting authority to engage in the business of a CLEC within the territories served by Southwestern Bell Telephone Company d/b/a AT&T Kansas, but may expand to CenturyLink territories in the future. Staff highlights Wide Voice's facilities under the headings of Line Side Facilities, Trunk and Interconnect Facilities, and Switched and Call Routing, providing detailed

descriptions of each. Staff determines from its review and investigation of the Application and information provided by Wide Voice that the company possesses the requisite technical, managerial, and financial viability to provide local exchange and access services in the State of Kansas. Wide Voice states that it is committed to adhering to the Commission's prescribed business practice by submitting a signed Telecommunications Carrier Code of Conduct document, dated April 16, 2014. Recommendation at pages 2 and 3.

5. Staff indicates that Wide Voice, LLC is a foreign limited liability company properly registered with the Kansas Secretary of State's office and whose status with that office is "active and in good standing". To the extent Wide Voice's presence in Kansas would increase consumers' options for CLEC service, Staff believes the general public will benefit from Commission approval of Wide Voice's Application. Staff states that it has reviewed the switched access exchange tariffs, included with the Application, which will be filed upon approval of the requested Certificate of Convenience and Authority, allowing Wide Voice to offer switched access telecommunications services. Staff includes as a reminder to Wide Voice that the company is required to file annual reports, remain current with the Kansas Secretary of State's office, pay all Commission and Kansas Universal Service Fund (KUSF) assessments, follow the Telecommunications Carrier Code of Conduct, and report revenues to GVNW Consulting, Inc. for assessment purposes. Concluding, Staff recommends the Commission grant Wide Voice's Application authorizing the company to provide local exchange and switched access services within the territories served by AT&T Kansas and CenturyLink. Report and Recommendation at pages 2 and 3.

### **III. FINDINGS AND CONCLUSION**

6. Pursuant to K.S.A. 2013 Supp. 66-1,188, the Commission has jurisdiction to supervise and control telecommunications public utilities doing business in Kansas. Wide Voice, LLC is a telecommunications public utility under K.S.A. 2013 Supp. 66-1,187 and is subject to the Commission's jurisdiction. The Commission adopts Staff's analysis and recommendation of July 14, 2014, as stated in its Report and Recommendation, which is attached hereto and made a part hereof by reference, and finds that Wide Voice's Application should be granted and a Certificate of Convenience and Authority issued to Wide Voice authorizing it to engage in the business of providing local exchange and switched access telecommunications services within the territories served by AT&T Kansas and CenturyLink.

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

A. Wide Voice, LLC's Application filed in this matter on April 22, 2014 is hereby granted and Wide Voice is hereby issued a Certificate of Convenience and Authority to provide local exchange and switched access telecommunications services within the territories served by Southwestern Bell Telephone Company d/b/a AT&T Kansas and CenturyLink.

B. Wide Voice is reminded of the requirements to file annual reports, remain current with the Kansas Secretary of State's office, pay all Commission and KUSF assessments, follow the Telecommunications Carrier Code of Conduct, and report revenues to GVNW Consulting, Inc. for assessment purposes. Failure to meet these requirements could result in revocation of the company's Certificate.

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

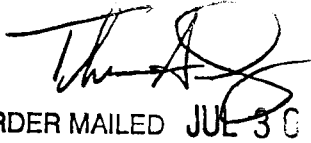
reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 2013 Supp. 77-529(a)(1).

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 AND CERTIFIED.**

Albrecht, Chair; Emler, Com.; Apple, Com.

Dated: JUL 29 2014

  
ORDER MAILED JUL 30 2014  
Thomas A. Day  
Acting Executive Director

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