

**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 Kansas Inc. for Name Change on the        ) Docket No. 24-UTDT-476-CCN  
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 January 5, 2024, Brightspeed of Kansas, Inc., (Brightspeed) filed an Application requesting authority to change its name on the records of the Commission to Brightspeed of Kansas, LLC. Brightspeed was previously certificated as an incumbent local exchange carrier (ILEC) in the State of Kansas.<sup>1</sup>

2.        The Commission derives its authority to supervise telecommunications public utilities from K.S.A. 66-1,188 and K.S.A. 66-2005(z). 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 April 11, 2024, advising the Commission to grant Brightspeed's Application and approve the requested name change.

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<sup>1</sup> Docket Nos. 164,801-U, 164,802-U, and 164,803-U.

4. Granting the Application will allow the records of the Commission to be updated consistent with Brightspeed's current name, Brightspeed of 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 April 11, 2024, as stated in the Report and Recommendation, which is attached hereto and made a part hereof by reference, and finds that Brightspeed's Application should be granted. The Commission further finds that the requested name change to Brightspeed of 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 Application of Brightspeed of Kansas, Inc., filed herein on January 5, 2024, is hereby granted, and the request for a name change to Brightspeed of 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).<sup>2</sup>


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

BWB

  
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Lynn M. Retz  
Executive Director

<sup>2</sup> 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:** Hemant Bhagat, Senior Telecommunications Analyst  
Steve Garrett, Deputy Chief of Telecommunications  
Jeff McClanahan, Director of Utilities

**DATE:** April 11, 2024

**SUBJECT:** Docket No. 24-UTDT-476-CCN

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

**EXECUTIVE SUMMARY**

On January 5, 2024, Brightspeed of Kansas, Inc. filed an Application requesting the Commission change its name in all Commission records to Brightspeed of Kansas, LLC. Staff recommends approval of this Application.

**BACKGROUND**

The Commission derives its authority to supervise telecommunications public utilities from K.S.A. 66-2005(z). 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” will be promoted by granting the request.

**ANALYSIS**

Brightspeed of Kansas Inc. (Brightspeed, Inc), formerly United Telephone of Kansas, headquartered in Charlotte, North Carolina, is a long-standing provider of incumbent local exchange (ILEC) services in the State of Kansas.<sup>1</sup> Brightspeed, Inc. filed an application with the Kansas Secretary of State on December 28, 2023,<sup>2</sup> to change its name on its Certification of Convenience and Authority to Brightspeed of Kansas LLC (Brightspeed, LLC).

<sup>1</sup> Docket Nos. 164,801-U, 164,802-U, 164,803-U.

<sup>2</sup> Application, Exhibit A

The Company stated there would be no changes to rates and services to customers from this name change. As an ILEC, Brightspeed 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.<sup>3</sup>

The Company 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." The Company has a current Annual Interrogatory on file and is current with its Commission assessments and Kansas Universal Service Fund (KUSF) reporting and payment obligations.

### **RECOMMENDATION**

Staff recommends approval of Brightspeed of Kansas Inc.'s Application to change its name on its Certificate of Convenience and Authority to Brightspeed of Kansas, LLC 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 telephone numbers, timely file Annual Interrogatories, maintain current registration with the Kansas Secretary of State's Office, and pay all Commission and KUSF assessments in a timely manner.

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<sup>3</sup> Application, page 1.

**CERTIFICATE OF SERVICE**

24-UTDT-476-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