

**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 Wheat                      )  
State Telephone Company Inc. Filing Tariff                      )  
Revisions to Remove a Service No Longer                      ) Docket No. 25-WHST-230-TAR  
Provided and Change Some Non-Recurring                      )  
Charges    )

**ORDER APPROVING REVISED TARIFF**

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 records, the Commission finds and concludes:

**I. BACKGROUND**

1. On December 4, 2024, Wheat State Telephone Company, Inc. d/b/a Wheat State Technologies (“Wheat State”) filed an application requesting that the Commission approve revisions to its General Exchange Tariff.<sup>1</sup> Wheat State’s application proposed tariff revisions to discontinue its Payphone Exchange Service and to increase the rates charged for two services: (1) Premise Visits; and (2) Burial of the on-premise extension (“OPX”) per hour.<sup>2</sup>

2. On December 12, 2024, Commission Staff (“Staff”) submitted its Report and Recommendation (“R&R”) in the above-captioned docket, attached hereto and incorporated

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<sup>1</sup> Application of Wheat State Telephone Company, Inc., Docket No. 25-WHST-230-TAR (Dec. 4, 2024) (“Application”).

<sup>2</sup> *Id.* at p. 1.

herein.<sup>3</sup> Staff’s R&R ultimately recommends that the Commission approve Wheat State’s application and its corresponding tariff revisions.<sup>4</sup>

## II. LEGAL DISCUSSION AND ANALYSIS

3. The 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.

K.S.A. 66-1,190 provides in part 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...

4. The Commission 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 Commission to ensure that all classifications, rules, and regulations regarding the services are not unduly discriminatory or preferential.

5. Staff reviewed Wheat State’s application and corresponding tariff revisions. Staff verified that Wheat State’s tariff revisions reflect the removal of a service that is no longer offered to local telephone service subscribers.<sup>5</sup> Because Wheat State does not have any subscribers

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<sup>3</sup> Report and Recommendation, Utilities Division, Docket No. 25-WHST-230-TAR (Dec. 12, 2024) (“Staff’s R&R” or “R&R”).

<sup>4</sup> *Id.* at p. 2.

<sup>5</sup> *Id.*

enrolled in this discontinued service, there will be no subscriber impact as a result of Wheat State removing its Payphone Exchange Service from its General Exchange Tariff.<sup>6</sup>

6. Staff also reviewed Wheat State's proposed rate change increases for two of its services: (1) Premise Visit Charges; and (2) Burial of the on-premise extension ("OPX") per hour. Staff confirmed that the Premise Visit Charges rate is increasing by \$25 from its previous charge of \$25 to a new charge of \$50. Staff confirmed that the Burial of the on-premise extension ("OPX") per hour charge is increasing by \$25 from its previous charge of \$75 to a new charge of \$100.

7. Wheat State represented that it has reviewed the number of times in the past three years that a customer requested either a premise visit service or burial of on-premise extension service. Wheat State represented that there were three instances where customers requested either of these services over the prior three-year period.<sup>7</sup> Wheat State represented that over the past year, only one customer had requested the premise visit service, and no customers had requested the on-premise extension service. Therefore, Wheat State represented that it believes its proposed rate change increases will result in a de minimis revenue impact of approximately \$25 annually.<sup>8</sup>

8. Staff noted that it reserves the right to request an audit from Wheat State consistent with Docket No. 04-GIMT-1080-GIT.<sup>9</sup>

9. Staff recommended that the Commission find that Wheat State's proposed tariff revisions are just and reasonable and therefore approve Wheat State's Application as filed.<sup>10</sup>

10. The Commission hereby adopts the analysis and recommendations contained in Staff's December 12, 2024, R&R. The Commission finds that Wheat State's application and tariff

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<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *See* Application of Wheat State, p. 1.

<sup>9</sup> *See* Staff's R&R, p. 2.

<sup>10</sup> *Id.*

revisions should be approved. The Commission concludes the proposed tariff revisions are reasonable.

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

A. Wheat State Telephone Company, Inc.'s application is hereby granted, and its revised General Exchange Tariff is hereby approved and shall become effective January 3, 2025.

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>11</sup>

**BY THE COMMISSION IT IS SO ORDERED.**

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 12/31/2024



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Lynn M. Retz  
Executive Director

BWB/MKH

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<sup>11</sup> 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:** December 12, 2024

**SUBJECT:** Docket No. 25-WHST-230-TAR

In the Matter of Wheat State Technologies Filing Tariffs Revisions to Remove a Service No Longer Provided and Change some Non-Recurring Charges.

**EXECUTIVE SUMMARY:**

On December 4, 2024, Wheat State Technologies (Wheat State) filed an Application with the Kansas Corporation Commission (Commission) proposing revisions to its General Exchange Tariff to eliminate a service that is discontinued and no longer provided to customers. The Application also proposes increasing the rates charged for two non-recurring charges. The Tariff pages impacted by this revision include the following:

- Table of Contents, 1<sup>st</sup> Revised Sheet 4
- Table of Contents, 2<sup>nd</sup> Revised Sheet 5
- Section 3, 2<sup>nd</sup> Revised Sheet 4
- Section 3, 1<sup>st</sup> Revised Sheets 5 and 6
- Section 3, 2<sup>nd</sup> Revised Sheet 12

Staff recommends approval of this Application. The Commission action date is Thursday, July 31, 2025, due to a suspension order.

**BACKGROUND**

The 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.

Pursuant to K.S.A. 66-1,189, the Commission must review rates and terms for every telecommunication public utility to ensure they are “just and reasonable” and that the classifications, rules, and regulations regarding the services are not unduly discriminatory or preferential.

Additionally, 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.

Commission Staff reserves the right to request an audit consistent with Docket No. 04-GIMT-1080-GIT.

**ANALYSIS:**

Wheat State’s Application proposes to remove its Payphone Exchange Service from its General Exchange Tariff. Wheat State states that its Payphone Exchange Service is no longer offered to local telephone service subscribers, and therefore no subscriber impact will result from this change.

Wheat State’s Application also proposes to increase the rates charged for two services listed in its General Exchange Tariff. The services that are having rate change increases are:

- Premise Visit Charges is increasing by \$25.00; from \$25.00 to \$50.00.
- Burial of the on-premise extension (OPX), per hour is increasing by \$25.00; from \$75.00 to \$100.00.

Based on the Company’s representation that there were a limited number of occurrences of these services being provided over the past 3 years and there is no material revenue impact resulting from these changes, Staff believes that these proposed rate increases are reasonable.

**RECOMMENDATION:**

Staff recommends the Commission accept Wheat State’s revised tariff to remove a service that is discontinued and no longer provided to customers and to change some non-recurring charges with an effective date of January 3, 2025, as requested by the Company.

**CERTIFICATE OF SERVICE**

25-WHST-230-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 12/31/2024.

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