

1500 SW Arrowhead Road  
Topeka, KS 66604-4027



20250930103921  
Kansas Corporation  
Commission  
Phone: 785-271-3100  
Fax: 785-271-3354  
<http://kcc.ks.gov/>

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

Laura Kelly, Governor

**NOTICE OF PENALTY ORDER**  
**26-DPAX-068-PEN**

September 25, 2025  
Jorge Muniz  
Razor Communications, LLC  
6329 North West Park View Street  
Park City, Kansas 67219

This is a notice of a penalty assessment against Razor Communications, LLC (“Razor Communications”) for a violation of the Kansas Underground Utility Damage Prevention Act (“KUUDPA”) and pipeline safety regulations adopted by the Kansas Corporation Commission. For a full description of the penalty please refer to the penalty order attached to this notice.

**IF YOU ACCEPT THE PENALTY:** Razor Communications has been assessed a civil penalty in the amount of \$500. You have twenty (20) days from the date of service of the penalty order to pay the penalty. Payments shall be payable to the Kansas Corporation Commission and mailed to the Fiscal Division of the Kansas Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and shall include a reference to Docket Number 26-DPAX-068-PEN.

**IF YOU CONTEST THE PENALTY:** **You have the right to request a hearing to challenge the Penalty Order.** A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. You, or an authorized representative, of Razor Communications, may electronically file its request for hearing within fifteen (15) days from the date of service of the penalty order. A copy of the request for hearing must be provided to the litigation counsel listed below.

**IF YOU FAIL TO ACT:** Pursuant to K.A.R. 82-14-6(j), failure to submit a written request for a hearing within fifteen (15) days from date of service of the penalty order will be considered an admission of noncompliance. **Failing to request a hearing or pay the civil assessment may result in further penalties.**

Respectfully,  
*/s/ Brett W. Berry*  
Brett W. Berry, S. Ct. No. 15026  
Litigation Counsel  
(785) 271-3287  
[Brett.Berry@ks.gov](mailto:Brett.Berry@ks.gov)

**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 Investigation of Razor      )  
Communications, LLC, Regarding Violations      )  
of the Kansas Underground Utility Damage      )      Docket No. 26-DPAX-068-PEN  
Prevention Act (KUUDPA) (K.S.A. 66-1801,      )  
et seq., and K.A.R. 82-14-1 through 82-14-5),      )  
and the Commission’s Authority to Impose      )  
Penalties and/or Sanctions (K.S.A. 66-1,151).      )

**PENALTY ORDER**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (“Commission”) on hearing of allegations against Razor Communications, LLC (“Razor Communications”) of violating the Kansas Underground Utility Damage Prevention Act (“KUUDPA”) and pipeline safety regulations adopted by the Commission. Having examined its files, records, and being otherwise duly advised in the premises, the Commission makes findings of fact and conclusions of law as follows:

**I.      FINDINGS OF FACT**

1.      On August 22, 2025, Commission technical staff (“Staff”) submitted to the Commission’s Litigation Division the Staff’s Report and Recommendation including all attached exhibits (“R&R”), attached hereto and incorporated by reference as Attachment A, recommending a civil penalty of \$500 to be assessed against Razor Communications for failure to exercise such reasonable care as may be necessary for the protection of an underground facility, when working in close proximity to such a facility located at 305 Campus Court in North Newton, Kansas.<sup>1</sup>

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<sup>1</sup> K.S.A. 66-1809(a) and K.A.R. 82-14-2(j)(7).

2. On March 6, 2025, Staff conducted an onsite investigation of the excavation operations of Razor Communications at 305 Campus Court in North Newton, Kansas.

3. Staff subsequently issued Razor Communications a notice of probable noncompliance (“PNC”) on March 14, 2025, notifying Razor Communications of the investigation results.<sup>2</sup>

4. Staff received a response to the PNC from Jorge Muniz, Resident Agent of Razor Communications. Jorge Muniz’s signed response is an apology for the incident and his assurance that it won’t happen again.<sup>3</sup>

5. The Commission finds that the penalty amount recommended by Staff is necessary to correct Razor Communications’ violation.

## **II. CONCLUSIONS OF LAW**

6. The Commission has full power and authority under K.S.A. 66-1815(a) to adopt all necessary rules and regulations for carrying out the provisions of KUUDPA.

7. The Commission has authority pursuant to K.A.R. 82-14-6(a) to investigate an entity under the Commission’s jurisdiction and order a hearing on the Commission’s own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

8. Further, K.S.A. 66-1812, in part, states as follows:

Any person to whom [KUUDPA] applies, who violates any of the provisions contained in [KUUDPA], shall be subject to civil penalties...as set out in K.S.A. 66-1,151...and any remedies established in rules and regulations promulgated by the [Commission] in support of [KUUDPA].

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<sup>2</sup> See Exhibit 1 to the R&R.

<sup>3</sup> R&R, p. 1.

9. Under K.S.A. 66-1,151, “[a]ny person who violates any rule or regulation adopted pursuant to [KUUDPA], or any rule and regulation adopted by the [C]ommission...shall be subject to a civil penalty not to exceed \$25,000 for each violation for each day that the violation persists.”

10. Razor Communications was operating as an excavator, as defined in K.S.A. 66-1802(e), during the incident at issue.

11. By failing to use nonintrusive means, specifically while burying fiber optic cable near a Kansas Gas Service PE service line, Razor Communications did not exercise reasonable care while excavating in violation of K.S.A. 66-1809.

12. Under K.A.R. 82-14-6(a), Staff was authorized to serve a PNC on Razor Communications after Staff conducted their investigation regarding the damaged gas facility.

13. Razor Communications was required under K.A.R. 82-14-6 to respond by mail to the PNC or execute a consent agreement with Staff within thirty (30) days after receipt of the PNC, and, absent good cause, Razor Communications did respond within thirty (30) days and admitted the factual allegations made by Staff which may be used against Razor Communications in future proceedings.

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

A. A civil penalty in the amount of \$500 is assessed against Razor Communications, LLC, for violating the Kansas Underground Utility Damage Prevention Act, K.S.A. 66-1801 *et seq.*, and the Commission’s pipeline safety regulations adopted pursuant to K.S.A. 66-1,150 *et seq.*

B. Pursuant to K.A.R. 82-14-6(j), Razor Communications, LLC may request a hearing to challenge the allegations set forth in this penalty order by electronically filing its request for hearing with the Commission within fifteen (15) days from the date of service of this penalty order, and e-mailing or mailing a copy of the request for hearing to the litigation counsel listed on the

Notice of Penalty Assessment. Hearings will be scheduled only upon written request. Failure to timely request a hearing shall be considered an admission of noncompliance and result in a waiver of Razor Communications, LLC's right to a hearing. A request for hearing must comply with the provisions of K.A.R. 82-1-232(b).

C. Pursuant to K.A.R. 82-14-6(i), if Razor Communications, LLC, does not request a hearing, payment of the civil penalty is due within twenty (20) days from the date of service of this penalty order. Payments shall be made payable to the Kansas Corporation Commission and mailed to the following address:

Fiscal Division  
Kansas Corporation Commission  
1500 S.W. Arrowhead Road  
Topeka, Kansas 66604

The payment shall include a reference to Docket Number 26-DPAX-068-PEN.

D. Unless a hearing is requested, failure to pay the \$500 civil penalty within twenty (20) days from the date of service of this penalty order will result in enforcement action against Razor Communications, LLC, including all sanctions, requirements, and penalties described above being enforceable without further action by the Commission.

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

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 09/30/2025



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Celeste Chaney-Tucker  
Executive Director

BWB

## **ATTACHMENT “A”**

## REPORT AND RECOMMENDATION UTILITIES DIVISION

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

**FROM:** Suzanne M. Balandran, Public Service Administrator  
Paul Owings, Chief Engineer  
Justin Grady, Director of Utilities

**DATE:** August 20, 2025

**SUBJECT: Docket Number: 26-DPAX-068-PEN**  
In the Matter of the Investigation of Razor Communications LLC Regarding Violations of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, *et seq.*, and K.A.R. 82-14-1 through 82-14-5) and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151).

### **EXECUTIVE SUMMARY:**

As a result of the investigation in Case Number JW-25-OC-1021, Staff recommends that a civil penalty in the amount of \$500 be assessed to Razor Communications LLC (Razor) for violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA). Razor failed to request locates of underground facilities prior to excavation at 305 Campus Ct. in Newton, Kansas. Failure to provide a notice of intent before excavating is a violation of K.S.A. 66-1804. Staff issued a Notice of Probable Noncompliance (PNC) to Razor on March 14, 2025. Razor responded to the PNC, as required by K.A.R. 82-14-6 (c). The PNC is included as Attachment 1.

### **ANALYSIS:**

#### **Rationale for Penalties:**

##### **A. Gravity of noncompliance:**

Excavating without a One-Call ticket is considered a high-risk activity with the potential for significant consequences to public safety. This excavator was excavating in the near vicinity of a Kansas Gas Service PE main line. Because Razor did not request locates prior to excavating, the utility operator was unable to provide the location at which Razor would

be required to carefully excavate to avoid damage to an underground facility at any depth. Razor failed to comply with the law and warrants the assessment of a civil penalty.

B. Culpability:

Razor is directly liable for its actions in failing to provide notice of intent before excavating as required by Kansas law.

C. History of noncompliance:

Staff has not previously issued a PNC for violations of KUUDPA to Razor.

D. Response of excavator regarding noncompliance(s):

Response to the PNC as required by K.A.R. 82-14-6(c) was received by Staff. Razor apologized and stated they would retrain their technicians.

E. Aggravating/Mitigating Circumstances:

Staff has not determined there to be any circumstances that would cause modification of the \$500 recommended penalty amount.

**RECOMMENDATION:**

Staff recommends a civil penalty be assessed to Razor Communications LLC in the amount of \$500 for violating K.S.A. 66-1804.

Attachment

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



Phone: 785-271-3220  
Fax: 785-271-3357  
<http://kcc.ks.gov/>

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

Laura Kelly, Governor

**Jorge Muniz**  
**Razor Communications**  
**6329 N West Park View St.**  
**Park City, KS 67219**

**March 14, 2025**

**KCC Investigation #: JW-25-OC-1021**

**Subject: Pipeline Investigation**

**Dear Jorge Muniz:**

Pursuant to K.S.A. 66-1801, et. Seq. the Kansas Corporation Commission (KCC) has jurisdiction and authority to investigate and to issue civil penalties for violations of the Kansas Underground Utility Damage Prevention Act (KUUDPA).

On March 6, 2025, the Kansas Corporation Commission's Pipeline Safety Staff conducted an investigation into excavation activities which are believed to involve your company. As a result of this investigation, Staff has identified possible violations committed by Razor Communications. The findings of this investigation are described on the attached form(s).

Kansas law, K.A.R. 82-14-6(c), requires the recipient of this notice to provide a written response to any Notice of Probable Noncompliance. After reviewing the findings, please respond in at least one of the following ways:

- 1) Submit written explanation, a statement of general denial, or other materials contesting the allegations;
- 2) Submit a signed acknowledgement of Commission Staff's findings of noncompliance; or,
- 3) Submit a signed proposal for the completion of any remedial action that addresses the Commission Staff's findings of noncompliance.

Pursuant to K.A.R. 82-14-6(e), failure to respond within 30 days to this Notice of Probable Noncompliance shall constitute an admission to all factual allegations made by the Commission Staff and may be used against the respondent in future proceedings

Please return the evaluation form(s) with any supporting documentation within thirty (30) days of receipt of this report to the address or email below. Any response submitted by email must include an electronic signature and date.

**[kccsafetyresponse@ks.gov](mailto:kccsafetyresponse@ks.gov)**

**Kansas Corporation Commission**  
**Pipeline Safety Section**  
**1500 SW Arrowhead Road**  
**Topeka, KS 66604-4027**

Please feel free to contact me directly if you have questions or concerns.

Sincerely,

**Paul Owings /s/**  
**Chief Engineer**  
**(785) 271-3141**  
**[paul.owings@ks.gov](mailto:paul.owings@ks.gov)**

Company: Razor Communications

Division:

## Regulation:

**66-1804 (a) Notice of intent of excavation; requirements.**

(a) Except in the case of an emergency, an excavator shall serve notice of intent of excavation at least two full working days but not more than 20 calendar days before the scheduled excavation start date, on each operator having underground tier 1 facilities located in the proposed area of excavation.

## PROBABLE NONCOMPLIANCE DESCRIPTION:

On 03/06/2025, Razor Communications did not notify One-Call prior to excavating at 305 Campus Ct. in North Newton, Kansas. Razor Communications damaged a KGS 2" PE gas main line with a hand drill and auger bit while installing a temporary fiber drop. After performing a search in the One-Call database no ticket was found for this area by this contractor during this time frame for the work that was being performed prior to the damage.

**OPERATOR'S RESPONSE: (Attach verification if needed)**

We sincerely apologize for the incident in question. We have ran hundreds of drops and have never encountered an issue. Now that we have ran into this issue we will retrain our technicians to assure this wont happen again.

Operator's Authorized Signature: \_\_\_\_\_

Date: 02 April 2025

## PIPELINE SAFETY USE ONLY:

Date reviewed: \_\_\_\_\_

Date reviewed: \_\_\_\_\_

Chief: \_\_\_\_\_

Inspector: \_\_\_\_\_

Inspection Type: One Call Inquiry/Complaint

Date Inspected: 03/06/2025

Inspected By: JW

## **CERTIFICATE OF SERVICE**

26-DPAX-068-PEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 09/30/2025.

AHSAN LATIF, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
ahsan.latif@ks.gov

JORGE MUNIZ  
RAZOR COMMUNICATIONS LLC  
6329 N WEST PARK VIEW ST  
PARK CITY, KS 67219

/S/ KCC Docket Room  
KCC Docket Room