### BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

In the Matter of An Investigation to Determine the Assessment Rate for the Twenty-Fourth Year of the Kansas Universal Service Fund, Effective March 1, 2020.

Docket No. 20-GIMT-086-GIT

## APPLICATION OF MIDCONTINENT COMMUNICATIONS FOR APPROVAL OF USE OF TRAFFIC STUDIES FOR <u>KANSAS UNIVERSAL SERVICE FUND REPORTING</u>

COMES NOW Midcontinent Communications, a South Dakota general partnership, (hereafter "Midco") and requests approval of the use by Midco, effective April 1, 2021, of the intrastate usage percentage derived by Midco's traffic study to determine the intrastate revenues for its Kansas Universal Service Fund ("KUSF") assessment. In support, Midco shows the Commission as follows:

1. Pursuant to KCC requirements each time there is a change in the factors for the use of a traffic study in determining intrastate retail revenues, a carrier must file a copy of its traffic study with the KCC. See Confidential Attachment "A." The results of the study are based on the most recent three months of actual intrastate usage and will be used by Midco, subject to Commission approval, to report intrastate revenue for the quarter beginning April 1, 2021 and ending June 30, 2021.

2. This Commission has approved numerous consecutive quarterly filings by Midco proposing the use of new traffic factors, the most recent of which was approved by order of December 15, 2020, in this Docket, for traffic study factors to be applied to billing for the period beginning January 1, 2021 and ending March 31, 2021.

3. With this application Midco submits the verification of Patrick J. Mastel, Vice President and General Counsel for Midco, as to the matters asserted herein.

WHEREFORE Midco respectfully requests the Commission approve its companyspecific traffic study and its use from that study for KUSF reporting purposes.

Respectfully submitted,

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# **VERIFICATION**

I, Patrick J. Mastel, Senior Vice President and General Counsel for Midco, declare under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct.

Executed on March \_\_\_\_\_, 2021.

Patrick J. Mastel

#### **CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the above and

foregoing document was emailed, on this <u>4</u> th day of March, 2021 to the following as shown

on the Commission's service list for the docket as of this date:

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Mark Doty

# ATTACHMENT A Midco Traffic Study REDACTED IN ITS ENTIRETY

# Pursuant to K.S.A 66-1220(a) and K.A.R. 82-1-221 Midcontinent

Communications submits the accompanying traffic study information here with as proprietary and confidential under seal. Such marketing and operational information is of such competitive sensitivity its disclosure to any person other than the carrier, the Commission, and staff is prohibited by K.S.A 66-1220(a). Disclosure of other portions is prohibited unless the Commission finds the disclosures warranted, after considering all of the factors in the above referenced statute and regulation. Any such disclosure would result in the creation of competitive bias, reducing or denying to the public the benefits of unbiased competition and could compromise the carrier's ability to meet its obligations as a provider of telecommunications public utility service.

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