



TBPs in keeping pace with changes in technology and industry practices, as well as establishing standards for carrier waiver applications is found at pages 1 through 3 of the Commission Staff's (hereafter referenced as "Staff") Report and Recommendation ("Report") attached to this Order.

3. The Commission's authority to grant waivers of TBPs, is set forth in Section V. and Section IV.D. sets forth the notice requirements for suspension/disconnection of service:

**Section V.**

"The requirements contained in these standards may be waived on an individual case basis by the Commission upon application by the telecommunication provider and a showing that a waiver is in the public interest. In making this determination, the Commission's considerations will include the interests of the applicant telecommunication provider, the interests of the affected consumer(s) and the interests of the public." <sup>2</sup>

**Section IV. D.**

1. **Time Requirement.** The telecommunications provider shall give the subscriber seven (7) calendar days written notice from the date the suspension/disconnection notice is deposited in the U.S. mail before suspending/disconnecting service. Suspension/disconnection may be immediate if it is at subscriber request or abandonment, involves a dangerous condition, adversely affects the safety of the subscribers or other persons, or involves unauthorized interference with or fraudulent use of services. See IV. A.1.a-g, i and j.
2. **Delivery of Notice.** Service suspension/disconnection notices shall be mailed separately from bills, information or advertising, and shall be sent to the customer of record. Service of notice by mail is complete after being deposited by the carrier in the U.S. mail. The telecommunications provider shall maintain an accurate record of the date of mailing and the suspension/ disconnection effective dates.
3. **Notice Information Requirements.** The suspension/disconnection notice shall contain the following Information:
  - a. The name, billing address and account number(s) of the subscriber being suspended.
  - b. A clear and concise statement of the reason for the proposed

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<sup>2</sup> Order Adopting Staff's Report and Recommendation Attachment 1, Revised Sept. 1, 2010, Kansas Telephone Billing Practices, p. 18, 06-GIMT-187-GIT (Oct. 5, 2010); and Order Granting Waiver, p.2, 05-GCIT-110-TAR (July 16, 2015). On December 3, 3024, the Commission also granted a waiver request in Docket 25-HVDT-204-MIS.

suspension/ disconnection of service and terms under which suspension/disconnection may be avoided.

- c. The date and time by which payment is required to avoid suspension/ disconnection.
- d. A clear and concise explanation of the charges and conditions for reconnection of service.
- e. A statement that suspension/disconnection may be postponed or avoided if the subscriber makes payment arrangement with the provider for moneys not in dispute.
- f. A clear concise statement to apprise the subscriber of the availability of an administrative procedure that may be utilized in the event of a bona fide dispute or under other circumstances, such as provided in Section IV. G. The address, telephone number and name of the provider's office or personnel empowered to review disputed bills, rectify errors and prevent suspension/disconnection, shall be clearly set forth. The notice shall state that the subscriber may talk with an employee of the provider and may present his or her reasons for disputing a bill, requesting payment arrangements or requesting a postponement of suspension/disconnection. The notice shall also contain the telephone number of the Commission's Consumer Protection Office.

4. Gorham, in its application, represents the following: its requested waiver would allow it to proceed with its proposed electronic mailing of notices of suspension or disconnection of services. Its current billing system can flag and track accounts of customers that have authorized it to send billing and delinquent notices via electronic mail. Customer notifications include a reminder message and late notice that will be sent to an email address of the customer's choosing. Unless otherwise notified, the customer will receive the reminder notice at the contact email address that Gorham has on file. Customers may opt out of electronic communications and notifications and instead choose traditional paper mailed notifications.<sup>3</sup>

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<sup>3</sup> Application (Mar. 3, 2025), p. 3–4.

5. Staff recommends the Commission grant Gorham's Application and its request for waiver of the written notification requirements regarding suspension and disconnection of service to customers, subject to conditions.<sup>4</sup>

## **II. FINDINGS AND CONCLUSIONS**

6. The Commission adopts Staff's analysis and recommendations of March 4, 2025, as set forth in its Report and made a part hereof by reference with the following condition: Gorham shall timely file their updated Tariff page(s) in this docket.

7. The Commission concludes that Gorham's request for waiver of the written notification requirement in Subsections IV.D.1. and IV.D.2. of the TBPs is reasonable, in the public interest, and should be granted, subject to Staff's recommended conditions and the Commission's additional conditions set forth in ordering paragraph (B) below.

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

- A. Gorham's request for a waiver of TBA Section IV.D.1. and 2. is hereby granted.
- B. Gorham shall timely file their updated tariff page(s) in this docket.
- C. Gorham shall notify all existing customers that suspension of service and disconnection of service will be made via electronic mail unless the customer specifically opts out at least thirty (30) days prior to implementing the new notification process.
- 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.
- E. 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>5</sup>

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<sup>4</sup> Report, p. 4.

<sup>5</sup> K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

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

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 03/11/2025



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Abigail D. Emery  
Acting Secretary to the Commission

BWB

**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:** March 4, 2025

**SUBJECT:** Docket No. 25-GRHT-337-MIS

In the Matter of the Application of Gorham Telephone Co., Inc. for a Waiver of Certain Telecommunications Billing Practice Standards.

**EXECUTIVE SUMMARY:**

On March 3, 2025, Gorham Telephone Co., Inc. (Gorham) filed an application for a waiver of a certain portion of the Kansas Corporation Commission's (Commission) Telecommunications billing practice standards requiring the paper mailing of customer notices of suspension and/or disconnection. Specifically, Gorham requests a waiver of the written notification requirement in Section IV.D.(1) and (2) which will allow Gorham to substitute electronic mailing of notices of suspension or disconnection of service.

**BACKGROUND:**

On August 31, 2005, the Commission issued its Order opening Docket No. 06-GIMT-187-GIT for the purpose of reviewing proposed revisions to the Commission's Telephone Billing Practice Standards as proposed by the Commission Staff. The Commission found that changes to the telephone billing standards further the public interest and fulfill the legislative directive set forth in K.S.A. 66-2001 by appropriately updating the telephone billing standards to reflect the changes in technology and industry practices that have developed since they were first issued. The Commission found these standards enhance the availability of quality telecommunications services at affordable prices to as many Kansas customers as possible, as desired by the legislature in K.S.A. 66-2001.

On July 16, 2010, the Commission issued its Final Order, wherein the Commission adopted new telephone billing standards as set forth in the Order and Attachment 1 to the Order, incorporated therein. This Final Order culminated an extensive collaborative discussion between Staff and the

parties by addressing certain issues that had remained unresolved and disputed. The Commission noted it sought to update the billing standards to reflect changes in technology and to the telecommunications industry, as well as balancing the needs of consumers and the industry. On September 1, 2010, the Commission issued its Order on Petition for Reconsideration addressing AT&T's petition for reconsideration. The Commission discussed and clarified the provision requiring carriers to provide rate estimates to customers at Section 1.G.2., "General Rate Information," the standard to be applied to applications by carriers for waivers from the billing standards at Section V, and the provision at Section IV.A.2.d(i) and (ii), "Suspension and Disconnection Standards," limiting the time period for denial of service based on unpaid bills. The Commission also modified the language in Section V.

Section V of the Telecommunications Billing Practices states:

The requirements contained in these standards may be waived on an individual case basis by the Commission upon application by the telecommunications provider and showing that a waiver is in the public interest. In making this determination, the Commission's considerations will include the interests of the applicant telecommunications provider, the interests of the affected consumer(s) and the interests of the public.<sup>1</sup>

Section IV. D. of the Telecommunications Billing Practices; Suspension/Disconnection of Service Standards states:

D. Notice of Suspension/Disconnection of Service:

1. Time Requirement: The telecommunications provider shall give the subscriber seven (7) calendar days written notice from the date the suspension/disconnection notice is deposited in the U.S. mail before suspending/disconnecting service. Suspension/disconnection may be immediate if it is at subscriber request or abandonment, involves a dangerous condition, adversely affects the safety of the subscribers or other persons, or involves unauthorized interference with or fraudulent use of services. See IV. A. 1. a-g, I, and j.
2. Delivery of Notice. Service suspension/disconnection notices shall be mailed separately from bills, information or advertising, and shall be sent to the customer of record. Service of notice by mail is complete after being deposited by the carrier in the U.S. mail. The telecommunications provider shall maintain an accurate record of the date of mailing and the suspension/disconnection effective dates.
3. Notice Information Requirements. The suspension/disconnection notice shall contain the following information:
  - a. The name, billing address and account number(s) of the subscriber being suspended.

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<sup>1</sup> Order Adopting Staff's Report and Recommendation, October 4, 2010, Docket No. 06-GIMT-187-GIT, Attachment 1, p. 18.

- b. A clear and concise statement of the reason for the proposed suspension/disconnection of service and terms under which suspension/disconnection may be avoided.
- c. The date and time by which payment is required to avoid suspension/disconnection.
- d. A clear and concise explanation of the charges and conditions for reconnection of service.
- e. A statement that suspension/disconnection may be postponed or avoided if the subscriber makes payment arrangement with the provider for moneys not in dispute.
- f. A clear concise statement to apprise the subscriber of the availability of an administrative procedure that may be utilized in the event of a bona- fide dispute or under other circumstances, such as provided in Section IV.G. The address, telephone number and name of the provider's office personnel empowered to review disputed bills, rectify errors and prevent suspension/disconnection, shall be clearly set forth. The notice shall state that the subscriber may talk with an employee of the provider and may present his or her reasons for disputing a bill, requesting payment arrangements or requesting a postponement of suspension/disconnection. The notice shall also contain the telephone number of the Commission's Consumer Protection Office.<sup>2</sup>

### **ANALYSIS:**

Gorham requests a waiver of the written notification requirement in only Section IV.D.(1) and (2) to allow the Company to substitute electronic mailing of notices of suspension or disconnection of service. The Commission has previously granted similar waivers from the standards in Docket No. 11-RRLT-188-MIS<sup>3</sup>, Docket No. 15-MRGT-110-MIS<sup>4</sup>, Docket No. 25-HVDT-204-MIS<sup>5</sup>, and Docket No. 25-RNBT-212-MIS.<sup>6</sup> Section V. of the Kansas Telephone Billing Practices allows the Commission to consider an application from a company requesting waiver of requirements if the waiver is in the interests of the applicant telecommunications provider, the interests of the affected consumer(s) and the interests of the public.

The cost to Gorham to process and mail the paper disconnect notices for the 2024 calendar year was \$549.46.<sup>7</sup> Gorham estimates, based on industry statistics, that 40% of customers will choose billing communications via electronic mail by end of 2025 and that granting the approval of the

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<sup>2</sup> Order Adopting Staff's Report and Recommendation, October 4, 2010, Docket No. 06-GIMT-187-GIT, Attachment 1, pp. 13-16.

<sup>3</sup> Order Granting Application for Waiver, May 17, 2011.

<sup>4</sup> Order Granting Waiver, February 12, 2015.

<sup>5</sup> Order Granting Waiver, December 3, 2024.

<sup>6</sup> Order Granting Waiver, December 5, 2024.

<sup>7</sup> Application, p. 3.



proposed electronic mail and waiver of paper bills will generate an additional cost savings of \$600 or more<sup>8</sup> per year.

Gorham states that the primary motivators of the request for electronic communication are to expedite the delivery of the notices and drive operational efficiencies. The Company indicated that the expedited delivery has the potential to rectify past due balances prior to service disconnection that the customers experience due to delays in receiving paper copies through the United States Postal Service.<sup>9</sup>

Gorham's current billing system is able to flag and track accounts that have authorized the Company to send billing and delinquent notices via electronic mail. That existing functionality would be used to provide operational efficiencies for Gorham.<sup>10</sup>

For any customers not already receiving electronic notifications, Gorham is proposing to notify all current customers that disconnection of service and suspension of service will be made via electronic mail unless a customer elected to stay with the current "opt in" process to receive paper notifications. New customers will have the same options provided to them when the service is initiated. If a customer has elected to receive electronic notifications, but communication fails, Gorham will mail a paper notice of suspension or disconnection of service.<sup>11</sup> Commission Staff reviewed the verbiage of the paper notice<sup>12</sup> and requested that the Company also include the office hours.

For customers that have opted in, Gorham has a process for customers with invalid email addresses. Gorham will generate a report noting any invalid email addresses and the customer service team will contact customers with the invalid email addresses to correct the email address in Gorham's billing system.<sup>13</sup>

The Applicant is properly registered with the Kansas Secretary of State's office and its status is Active and in Good Standing.

**RECOMMENDATION:**

Staff believes, Gorham's request for waiver of the Telecommunications Billing Practice Standards has met the required criteria in Section V. of the Kansas Telephone Billing Practices and recommends the Commission approve the waiver as requested by the Company. Staff further requests that Gorham include office hours in their paper notice to customers and file their updated Tariff page(s) in the instant docket.

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<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> Application, p.4.

<sup>11</sup> *Id.*

<sup>12</sup> Application, p.4.

<sup>13</sup> Application, p. 2.

**CERTIFICATE OF SERVICE**

25-GRHT-337-MIS

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 03/11/20025.

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/S/ KCC Docket Room  
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