

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Pat Apple

In the Matter of the Application of Madison)
Telephone, LLC Filing for Kansas Video) Docket No. 13-MDTT-671-VSA
Service Authorization.)

ORDER APPROVING AMENDED VIDEO SERVICE AUTHORIZATION

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 April 26, 2013, Madison Telephone, LLC (Madison) filed an Initial Application for a state-issued Video Service Authorization (VSA), as authorized by K.S.A. 12-2023 and K.A.R. 82-15-1. Madison's Initial Application was approved in this docket on May 29, 2013, and included four service areas. Madison's VSA was expanded to include two additional service areas on November 20, 2014.

2. On October 26, 2015, Madison filed an Application to amend its VSA by adding one additional service area. Specifically, Madison requested to provide cable or video service in The City of New Strawn (CUID #KS0830).

3. K.S.A. 12-2023 states that the Commission shall issue a video service authorization permitting a video service provider to provide video service in the state, or amend a video service authorization previously issued, within 30 days after receipt of a completed affidavit submitted by the video service applicant and signed by an officer or general partner of the applicant affirming:

(1) The location of the applicant's principal place of business and the names of the applicant's principal executive officers;

(2) that the applicant has filed or will timely file with the federal communications commission all forms required by that agency in advance of offering video service in this state;

(3) that the applicant agrees to comply with all applicable federal and state statutes and regulations;

(4) that the applicant agrees to comply with all lawful and applicable municipal regulations regarding the use and occupation of public rights-of-way in the delivery of the video service, including the police powers of the municipalities in which the service is delivered;

(5) the description of the service area footprint to be served within the state of Kansas, including any municipalities or parts thereof, and which may include certain designations of unincorporated areas, which description shall be updated by the applicant prior to the expansion of video service to a previously undesignated service area and, upon such expansion, notice to the state corporation commission of the service area to be served by the applicant; including:

(A) The period of time it shall take applicant to become capable of providing video programming to all households in the applicant's service area footprint, which may not exceed five years from the date the authorization, or amended authorization, is issued; and

(B) a general description of the type or types of technologies the applicant will use to provide video programming to all households in its service area footprint, which may include wireline, wireless, satellite or any other alternative technology.

4. Commission Staff (Staff) submitted a Report and Recommendation regarding the Application on November 9, 2015, attached hereto and made a part hereof by reference. Staff found that Madison is properly registered with the Kansas Secretary of State's Office. Staff found that the Application provided a list of Madison's key personnel contacts for regulatory matters, and affirmed that Madison's principal place of business is located at 117 N Third, P.O. Box 337, Madison, Kansas, 66860. (See K.S.A. 12-2023(a)(1)). Staff verified that Madison is properly registered with the Federal Communications Commission regarding the Community Unit Identification Number (CUID) for The City of New Strawn. (See K.S.A. 12-2023(a)(2)). Staff found that Madison agreed to follow all applicable federal, state, and municipal rules and regulations. (See K.S.A. 12-2023(a)(3)-(4)). Finally, Staff found that Madison states it will be

able to provide service to 100% of the households encompassed by the proposed service area within five years. (See K.S.A. 12-2023(a)(5)(A)). For ease of future reference, Staff is identifying the proposed service area as follows: The City of New Strawn, NWST-07-MDTT-01.

5. Staff recommended approval of the Amended Video Service Authorization.

6. The Commission finds Staff's findings and recommendations to be reasonable and hereby adopts the same.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Application to Amend Madison's VSA filed with the Commission on October 26, 2015, is approved.

B. Madison is granted authority to provide video service as requested in the Application. The grant of authority is subject to lawful operation of the video service by the applicant or its successor in interest.

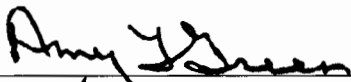
C. The parties have fifteen (15) days, plus three (3) days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 77-529(a)(1).

D. The Commission retains jurisdiction over the subject matter and parties for the purpose of issuing such further order, or orders, as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner

Dated: NOV 19 2015



Amy L. Green
Secretary to the Commission

MRN

ORDER MAILED NOV 20 2015

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Shari Feist Albrecht, Chair
Jay Scott Emler, Commissioner
Pat Apple, Commissioner

Sam Brownback, Governor

REPORT AND RECOMMENDATION UTILITIES DIVISION

TO: Chair Shari Feist Albrecht
Commissioner Jay Scott Emler
Commissioner Pat Apple

FROM: Kelly Mabon, Telecommunications Analyst
Christine Aarnes, Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: November 9, 2015

SUBJECT: In the Matter of the Application of Madison Telephone, LLC Filing for
Kansas Video Service Authorization.
Docket No. 13-MDTT-671-VSA

EXECUTIVE SUMMARY:

On October 26, 2015, Madison Telephone, LLC filed an Amended Application for state-issued Video Service Authorization, as authorized by K.S.A. 12-2023 and K.A.R. 82-15-1. Staff recommends approval of this Application.

BACKGROUND:

The Applicant has previously been granted state-issued video service authorizations in six service areas (footprints). In this filing, the Applicant seeks to add one service area.

Per K.S.A. 12-2023(a), Commission action in this matter is required not later than **November 27, 2015**.

K.S.A. 12-2023 gives the Commission the authority to review applications for those entities who desire to provide cable service or video service in the state of Kansas.

The Commission must review an application for a video service authorization (VSA) to determine whether:

- 1) The applicant identified the location of its principal place of business and the names of its principal executive officers;
- 2) The applicant has filed or will file all forms required by the Federal Communications Commission (FCC) before offering video service in Kansas;
- 3) The applicant has agreed to comply with all applicable federal and state statutes and regulations;
- 4) The applicant has agreed to comply with all lawful and applicable municipal regulations regarding the use and occupation of public rights-of-way in the delivery of the video service, including the police powers of the municipalities in which the service is delivered; and
- 5) The applicant has described the service area footprint to be served within Kansas and provided the period of time, not to exceed five years, in which the applicant will be capable of providing video service to all households in the service area footprint, and a general description of the type or types of technologies the applicant will use to provide the video programming.

These showings by the applicant are to be made in the form of an affidavit signed by an officer or general partner of the applicant. Upon proper showing, the Commission shall approve the VSA.

ANALYSIS:

The Applicant has identified its principal place of business as 117 N Third Street, Madison, KS 66860.

The Applicant is properly registered with the Kansas Secretary of State's office as a Foreign Limited Liability Company. Its current status with the Secretary's office is Active and in Good Standing.

The Applicant is registered with the FCC as a Cable System Operator, as follows:

<u>Community Served</u>	<u>CUID #</u>
The City of New Strawn	KS0830

By initialing, the Applicant has agreed to comply with all applicable federal and state statutes and regulations and agrees to comply with all lawful and applicable municipal regulations regarding the use and occupation of public rights-of-way in the delivery of video services, including the police powers of the municipalities in which the service is delivered. (Application item #5).

The Applicant is seeking to serve the city of New Strawn, Kansas, and has provided a legal description of the territory.

That description is on file with the Commission in this Docket and has been provided electronically in a format compatible with the Commission's mapping system. The Company states that it will be able to provide service to 100% of the households encompassed in that area within five years of the date the Commission grants the Application.

For ease of future reference, Staff is identifying¹ the proposed service area footprint, as NWST-07-MD TT-01.

RECOMMENDATION:

Staff recommends Commission approval to add the city of New Strawn, NWST-07-MD TT-01 to the service area footprint included in its state-issued Video Service Authorization.

¹ For ease of future referencing, staff assigns a four field footprint number using the following convention: ABCD-xx-EFGH-yy, where ABCD is the four character abbreviation of the major city encompassed by the service area, xx is a two digit sequentially assigned number of the provider's service areas, EFGH is the four alpha character company code and yy indicating the version of the company's footprint where 01 is the initial version, 02 the first revision, etc.

CERTIFICATE OF SERVICE

13-MDTT-671-VSA

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on NOV 19 2015.

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/S/ DeeAnn Shupe
DeeAnn Shupe

ORDER MAILED NOV 20 2015