

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

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

In the Matter of the Application of)
GoDaddy.com, LLC for a Certificate of)
Convenience and Authority to Provide) Docket No. 17-GODT-062-COC
Interexchange Services Within the State of)
Kansas)

ORDER APPROVING CERTIFICATE OF CONVENIENCE APPLICATION

This matter comes before the State Corporation Commission of the State of Kansas (“Commission”) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

BACKGROUND

1. On August 16, 2016, GoDaddy.com, LLC (“GoDaddy”) filed its Application for Certificate of Convenience and Authority to Provide Interexchange Service in the State of Kansas.¹

2. Commission Staff (“Staff”) submitted a Report and Recommendation in regards to the application on January 13, 2017, attached hereto and made a part hereof by reference.

DISCUSSION AND ANALYSIS

3. K.S.A. 66-131 states: “No common carrier or public utility...shall transact business in the state of Kansas until it shall have obtained a certificate from the corporation commission that public convenience will be promoted by the transaction of said business and

¹ Application for Certificate of Authority, August 16, 2016.

permitting said applicants to transact the business of a common carrier or public utility in this state.”

4. In determining whether the public convenience will be promoted by the transaction of said business, Staff points out that the Commission looks at a number of factors. The factors may include, but are not limited to, the provider's commitment to meet all requirements of the existing statutes and orders and modifications specified in recent House Bill 2201. Regarding such factors, Staff cites K.S.A. 2015 Supp. 66-2005(w) which provides in part that:

... telecommunications carriers that were not authorized to provide switched local exchange telecommunications services in this state as of July 1, 1996 ... must receive a certificate of convenience based upon a demonstration of technical, managerial and financial viability and the ability to meet quality of service standards established by the commission.

5. According to Staff, GoDaddy seeks authority to provide Interexchange Services throughout Kansas. GoDaddy indicated the Company network would be provided through facilities leased from various underlying carriers with whom GoDaddy has agreements. These underlying carriers include: ANI Networks; Bandwidth.com, Bluetone, BrightLink IP, Iristel, Level 3 Communications, Onvoy and Verizon. GoDaddy indicated that it plans to resell only the services of carriers duly authorized by the Commission to provide such service.

6. The combined service of the executive staff of GoDaddy is over eighty years in business with much of that background in internet companies, internet products and financial leadership positions.

7. GoDaddy is a Delaware Limited Liability Company and is properly registered with the Kansas Secretary of State's Office with a status of “active and in good standing.”

8. Staff states that the financial records submitted support the Applicant's financial ability to operate a business. Based on the information submitted and the investigation Staff has

performed, GoDaddy appears to have the managerial technical and financial ability to provide Interexchange Services in Kansas.

9. GoDaddy has also indicated its intention to provide Nomadic Voice Over Internet Protocol (VOIP) services in Kansas. Nomadic VOIP service does not require a Certificate from the Commission²; however Nomadic VOIP providers are required to contribute to the Kansas Universal Service Fund (“KUSF”).

10. Staff also states that upon approval of the Certificate, GoDaddy is required to file Annual Reports, remain current with the Kansas Secretary of State's office, pay all Commission and KUSF assessments, and follow the Telecommunications Carrier Code of Conduct. Staff also recommends GoDaddy be reminded of the need to notify the Commission of any changes of contact personnel, address and/or phone numbers.

11. To the extent that GoDaddy's presence in Kansas would increase consumer options and service, Staff believes the general public would benefit from the Commission's approval of the Company's Application.

FINDINGS AND CONCLUSION

12. Pursuant to K.S.A. 66-1,188, the Commission has jurisdiction to supervise and control telecommunications public utilities doing business in Kansas. GoDaddy is a telecommunications public utility under K.S.A. 66-1,187 and is subject to the Commission's jurisdiction. The Commission finds that Staff's findings and recommendation of January 13, 2017, as stated in its Report and Recommendation, are reasonable and hereby adopts the same. The Commission further finds that GoDaddy's Application should be granted and a Certificate of Convenience and Authority should be issued to GoDaddy authorizing it to engage in the business of providing Interexchange Services in the state of Kansas.

² K.S.A. 66-2017.

THEREFORE, THE COMMISSION ORDERS:

A. GoDaddy.com, LLC's request for Certification to provide Interexchange Services in the state of Kansas is approved.

B. GoDaddy.com, LLC is reminded of its obligations to make the required filings, maintain current with the Kansas Secretary of State's office, register with the KUSF Administrator, pay all Commission and KUSF assessments, and follow the Telecommunications Carrier Code of Conduct. Additionally, GoDaddy.com is reminded to notify the Commission of any changes of contact personnel, address and/or phone numbers. Failure to meet these requirements could result in revocation of the company's Certificate.

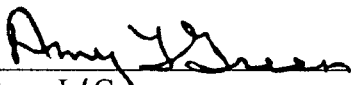
C. The parties have 15 days from the date of electronic service of this Order to petition for reconsideration.³

D. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

BY THE COMMISSION IT IS SO ORDERED.

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: JAN 24 2017



Amy L. Green
Secretary to the Commission

AAL

Order Mailed Date

JAN 25 2017

³ K.S.A. 66-118b; K.S.A. 77-529(a)(1).

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

TO: Chairman Jay Emler
Commissioner Shari Feist Albrecht
Commissioner Pat Apple

FROM: Paula Artzer, Senior Telecommunications Analyst
Christine Aarnes, Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: January 13, 2017

SUBJECT: 17-GODT-062-COC
In the Matter of the Application of GoDaddy.com, LLC for a Certificate of Convenience and Authority to Provide Interexchange Services Within the State of Kansas

EXECUTIVE SUMMARY:

GoDaddy.com, LLC (GoDaddy) has submitted an Application for Authority to provide Interexchange Services in the state of Kansas. Staff has researched the Application as part of its normal approval process and recommends approval of the Application.

BACKGROUND:

On August 16, 2016, GoDaddy filed an Application requesting a Certificate of Convenience to provide telecommunication services in Kansas. In this Application, GoDaddy requests authority to provide Interexchange Services throughout Kansas.

In response to Information Request #1, GoDaddy indicated the Company network would be provided through facilities leased from various underlying carriers with which the Company has agreements, including ANI Networks; Bandwidth.com; Bluetone; Brightlink IP; Iristel; Level 3 Communications; Onvoy; and Verizon. GoDaddy indicated that in Kansas it will resell the services only of carriers duly authorized by the Kansas Corporation Commission to provide such service.

GoDaddy is a Delaware Limited Liability Company and properly registered with the Kansas Secretary of State's Office in August of 2016, and its status is "active and in good standing". GoDaddy is a subsidiary of GoDaddy Operating Company, LLC.

ANALYSIS:

Pursuant to K.S.A. 66-131, no common carrier or public utility shall transact business in the state of Kansas until it shall have obtained a Certificate of Convenience from the Commission that public convenience will be promoted by the transaction of said business and permitting said applicants to transact the business of a common carrier or public utility in the state.

In making the determination as to whether the public convenience will be promoted by the transaction of said business, the Commission determined that it would look at a number of factors when determining whether a particular Application is consistent with the public interest. The factors may include, but are not limited to, the provider's commitment to meet all requirements of the existing Statutes and Orders and modifications specified in House Bill 2201.

K.S.A. 2012 Supp. 66-2005 (w) states:

“...telecommunications carriers that were not authorized to provide switched local exchange telecommunications services in this state as of July 1, 1996...must receive a certificate of convenience based upon a demonstration of technical, managerial and financial viability and the ability to meet quality of service standards established by the commission”.

The combined service of the executive staff with GoDaddy is over eighty years in business with much of that background in internet companies, internet products, and financial leadership positions. The President and CEO is Blake Irving. The Company is headquartered in Scottsdale, Arizona. The financial records provided support the Applicant's financial ability to operate a business. Based on the information submitted and the investigation Staff has performed, the Company appears to have the managerial, technical and financial ability to provide Interexchange Services in Kansas.

GoDaddy has provided an additional document on October 4, 2016, filed in this Docket indicating the Company's intention to provide Nomadic Voice Over Internet Protocol (VOIP) services in Kansas. Nomadic VOIP service does not require a Certificate from this Commission per K.S.A. 66-2017; however, nomadic VOIP providers are required to contribute to the Kansas Universal Service Fund (KUSF), pursuant to K.S.A. 66-2008.

The Applicant stated in their filing that the Company had no enforcement proceedings. Staff investigated and found no evidence of any enforcement proceedings.

RECOMMENDATION:

Staff recommends the Commission approve GoDaddy's request for Certification as a Interexchange Services provider in the state of Kansas. The Applicant has shown the technical, managerial and financial ability to provide Interexchange Service in Kansas. Based on the findings discussed above, Staff believes it would be in the public interest of Kansans to grant this request. Upon Commission approval, GoDaddy is required to file

Annual Reports, remain current with the Kansas Secretary of State's office, pay all Commission and Kansas Universal Service Fund (KUSF) assessments, and follow the Telecommunications Carrier Code of Conduct.

Staff also recommends the Applicant be reminded of the need to notify the Commission of any changes of contact personnel, address and/or phone numbers. Failure to meet these filing requirements could result in the revocation of its Certificate of Convenience and Authority.

CERTIFICATE OF SERVICE

17-GODT-062-COC

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 JAN 24 2017.

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/s/ DeeAnn Shupe

DeeAnn Shupe

Order Mailed Date

JAN 25 2017