

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the Matter of a General Investigation for Tru)
Mobility, Inc. to Show Cause Why This)
Commission Should Not Levy Sanctions,) Docket No. 21-TMIV-449-SHO
Penalties, and Fines for Non-Compliance with)
Kansas Statutes and Commission Orders.)

ORDER CLOSING DOCKET

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 June 10, 2021, the Commission issued an Order to Show Cause (Show Cause Order) in this proceeding. The Order to Show Cause required Tru Mobility, Inc. (Tru) to respond within thirty (30) days to (1) show cause why it should not be subject to penalties and fines for violating K.S.A. 66- 2008(a); (2) comply with its Kansas Universal Service Fund (KUSF) obligations; and (3) pay its \$5,678.26 in outstanding assessment contributions and \$11,076.71 in outstanding administrative penalties.¹

2. On June 28 2021 and July 22, 2021, Tru filed responses to the Commission's Order.

3. On April 8, 2022, Staff filed an R&R, recommending the Commission: (1) find Tru non-compliant with the Commission's Show Cause Order; (2) find that Tru owes \$4,274.37 of assessment contributions and \$13,495.66 of penalties to the KUSF; (3) deny Tru's requests to remit

¹ Order to Show Cause, Ordering Clauses A-C (Jun. 10, 2021).

monthly payments and waive or reduce its KUSF penalties; (4) direct Vantage Point Solutions (VPS) to stop accruing additional penalties for Tru; and (5) give Tru 45 days to pay its delinquent KUSF balance before the Commission initiates collection actions against the Company.²

4. On April 28, 2022, the Commission issued an Order Assessing Penalties for Failure to Comply with K.S.A. 66-2008(a) (Penalty Order) adopting Staff's findings and ordering Tru to pay \$4,274.37 of assessment contributions and \$13,495.66 of penalties to the KUSF within 45 days.³

5. Staff filed a series of Notices of Filings Vantage Point Solutions' Memorandums tracking Tru's payments on August 29, 2022, August 31, 2022, April 12, 2023, July 12, 2023, August 14, 2023 and November 21, 2023. In the most recent filing, VPS stated Tru had paid its KUSF balance in full and is now current with its KUSF obligations. VPS further recommended that the docket be closed.

6. The Commission determines the findings and recommendation of VPS to be reasonable and hereby adopts the same.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. This docket is hereby closed based on Vantage Point Solution's Memorandum of November 17, 2023, stating Tru Mobility, Inc has now paid its KUSF balance in full and is now current with its KUSF obligations.

B. 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).⁴

² Report and Recommendation, p. 1 (Apr. 7, 2022).

³ Order Assessing Penalties for Failure to Comply with K.S.A. 66-2008(a), Ordering Clauses A-C (Jun. 10, 2021).

⁴ 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: 11/30/2023



Lynn M. Retz
Executive Director

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CERTIFICATE OF SERVICE

21-TMIV-449-SHO

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 11/30/2023.

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/S/ KCC Docket Room

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