

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Dwight D. Keen, Chair
 Susan K. Duffy
 Andrew J. French

In the Matter of the Complaint Against Totah)
Communications, Inc. by Joseph A. LaFon.) Docket No. 23-TTHT-028-COM

ORDER MAKING PRIMA FACIE DETERMINATION

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its pleadings and records, the Commission concludes the following:

1. On July 17, 2022, Joseph A. LaFon filed a Formal Complaint against Totah Communications, Inc. (Totah), alleging that his landline phone would not ring when incoming calls were received over a 4+ year period. LaFon seeks a refund.

2. K.A.R. 82-1-220(b) sets forth the following procedural requirements for a Formal Complaints. To establish a prima facie case, a Complaint must:

(1) Fully and completely advise each Respondent and the Commission as to the provisions of law or the regulations or orders of the Commission that have been or are being violated by the acts or omissions complained of, or that will be violated by a continuance of acts or omissions;

(2) Set forth concisely and in plain language the facts claimed by the Complainant to constitute the violation(s); and

(3) State the relief sought by the Complainant.

3. Upon review, the Formal Complaint complies with the requirements above and establishes a prima facie case for Commission action. The Formal Complaint (1) fully and

completely advises the Respondent and the Commission as to the provisions of law or the regulations or orders of the Commission that have been or are being violated by the acts or omissions complained of, or that will be violated by a continuance of acts or omissions; or (2) sets forth concisely and in plain language the facts claimed by the Complainant to constitute the violation; and (3) states the relief sought. The Commission concludes the Formal Complaint establishes a prima facie case and, pursuant to K.A.R. 82-1-220(c), shall be served upon Totah for an answer.

THEREFORE, THE COMMISSION ORDERS:

A. The formal complaint meets the procedural requirements of K.A.R. 82-1-220(b) and shall be served upon Totah for an answer within 10 days of service.

BY THE COMMISSION IT IS SO ORDERED.

Keen, Chair; Duffy, Commissioner; French, Commissioner

Dated: 07/21/2022 _____



Lynn M. Retz
Executive Director

BGF

CERTIFICATE OF SERVICE

23-TTHT-028-COM

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 07/21/2022.

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/S/ DeeAnn Shupe
DeeAnn Shupe