

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

In the Matter of the Complaint Against)
Everfast Fiber Networks by Lakeview Village) Docket No. 25-EFNT-342-COM
Inc.) Docket No. 25-EFNT-343-COM

PUBLIC VERSION

NOTICE OF FILING OF STAFF'S REPORT AND RECOMMENDATION

COMES NOW, the Staff of the State Corporation Commission of the State of Kansas ("Staff" and "Commission", respectively), and files its Report and Recommendation ("R&R") regarding the Complaint Against Everfast Fiber Networks ("Everfast") by Lakeview Village, Inc., by and through Heath Leuck, CFO, and Pam Herman, COO. On March 13, 2025, the Commission ordered that Docket Nos. 25-EFNT-342-COM and 25-EFNT-343-COM be consolidated, with 25-EFNT-342-COM to serve as the primary docket.

Commission Staff ("Staff") has examined this complaint and recommends that the Commission find that Everfast has resolved Lakeview Village's complaint. Staff therefore recommends that the Commission issue an order to close this complaint docket.

WHEREFORE, Staff submits its Report and Recommendation for Commission review and consideration and or such other relief as the Commission deems just and reasonable.

Respectfully submitted,

/s/ Madisen K. Hane

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Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

Laura Kelly, Governor

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

TO: Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

FROM: Steve Garrett, Deputy Chief of Telecommunications
Janet Buchanan, Deputy Director of Utilities
Justin Grady, Director of Utilities

DATE: August 12, 2025

SUBJECT: Docket No. 25-EFNT-342-COM
Docket No. 25-EFNT-343-COM

In the Matter of the Complaint Against Everfast Fiber Networks by Lakeview Village Inc.

EXECUTIVE SUMMARY:

On March 6, 2025, Lakeview Village, Inc., by and through Heath Leuck, CFO and Pam Herman, COO (Lakeview Village or Complainant) filed a formal complaint with the Kansas Corporation Commission (Commission) against Everfast Fiber Networks (Everfast) alleging that beginning on or about February 1, 2025, Lakeview Village's campus experienced a phone outage.¹ Staff recommends this complaint be closed as the issue has been resolved.

BACKGROUND:

On March 6, 2025, Lakeview Village contacted the Commission's Public Affairs and Consumer Protection Office with a complaint against Everfast. Lakeview Village stated that the outage was reported to Everfast and Lakeview Village was told it would be resolved in about "48-72 hours".² Lakeview Village was informed by Everfast that a network card was down. It was not until February 21, 2025, that the majority of the business service lines were restored but outages are still occurring for approximately 200 lines including federally required services to Lakeview Village's licensed Skilled Nursing Facility, Assisted Living Facility, Fire Panels and Elevator Call Boxes.³

On March 13, 2025, the Commission ordered that Docket Nos. 25-EFNT-342-COM and 25-EFNT-343-COM be consolidated as a matter of judicial efficiency as the two complaints contained the

¹ Formal Complaint Against Everfast Fiber Networks by Lakeview Village Inc. (March 6, 2025) (Docket No. 25-EFNT-342-COM).

² *Id.*

³ *Id.*

same parties and identical allegations. Each subsequent filing submitted for either of these consolidated dockets was required to carry the caption of both dockets and was to be filed only in Docket No. 25-EFNT-342-COM, which would serve as the primary docket. Commission staff was to then populate the filing in Docket No. 25-EFNT-343-COM.⁴

ANALYSIS:

Everfast entered a response to the Formal Complaint on April 30, 2025, stating the following:

- The Complainant alleges that telephone service to approximately 200 lines failed. In complaint 25-EFNT-343-COM, the Complainant alleges that telephone service to approximately 665 lines failed. Everfast responded that it does not dispute Complainant's estimate number of affected lines in either complaint.⁵
- In both complaints, the Complainant alleges that the telephone service outage began on or about February 1, 2025. Everfast responded that it first detected issues with one of its oldest switches in late January 2025, when it began to fail. This switch completely failed on January 31, 2025. Following the failure, Everfast replaced parts, ran numerous diagnostics, and engaged with third party engineering firms, but was unable to restart the switch.⁶
- In both complaints, the Complainant alleges that they were initially told that the issue would be resolved in 48-72 hours and later told that a network card had failed, and a replacement was being overnighted for installation and that redundancy did not exist. Everfast responded that the failure of switches located in the Central Office is extremely rare. Two modules that provided redundancy failed very close to each other. It was during this period that Everfast wasn't aware of the full extent of the situation. Everfast was making its best estimate of the time it would take to restore service. Typically, swapping cards does resolve most issues within 72 hours. Everfast did have the cards overnighted as part of its efforts to restore service. All of this information was relayed to the Complainant.⁷
- In both complaints, the Complainant alleges that most of its phone service was restored on or about February 21, 2025. Everfast indicated that restoration of telephone service to the Complainant's high-rise buildings began on February 11, 2025, and services to those buildings were fully restored within the following 2 weeks. For the cottages, all tenants were contacted, and services were restored to all who replied that their service was out.⁸
- In both complaints, the Complainant alleges that it continued to experience intermittent line outages after February 21, 2025. As of the date of this response, April 16, 2025, telephone service has been fully restored for all affected lines.⁹

⁴ *Order Making Prima Facie Determination and Consolidating Dockets*, A.

⁵ Everfast Fiber Networks, LLC Response to Formal Complaints (April 30, 2025) (Docket No. 25-EFNT-342-COM) at 2.

⁶ *Id.* 3.

⁷ *Id.* 4.

⁸ *Id.* 5.

⁹ *Id.* 6.

- The Complainant proposed three remedies:¹⁰
 - Everfast to have necessary equipment in place for redundancy should a similar event happen in the future.
 - Everfast to improve and provide daily communication when outages occur.
 - Everfast to provide a guaranteed level of service with 99.99% uptime on the residential phone lines.

Everfast responded to all three proposed remedies. Everfast represented that it had redundancies in place but both failed. Everfast represented that this is an extremely rare occurrence. Generally, Everfast agrees that redundancy is good business practice, and it follows this practice. Everfast is committed to promptly communicating with the Complainant and keeping Complainant informed on a regular basis as repairs to address the outage proceeds. Everfast is willing to provide a Service Level Agreement (SLA) to the Complainant with a 99.99% telephony service level. Everfast will contact Complainant to amend the current agreement to include such an SLA.

Staff verified with the Complainant that Everfast amended the current agreement to include a SLA with a 99.99% telephony service level on residential phone lines.¹¹ Staff have attached this email as Confidential Exhibit A to Staff's Confidential R&R. Additionally, Everfast stated as of April 16, 2025 the telephone service to Lakeview Village has been fully restored for all affected lines.¹² Staff is satisfied that the three proposed remedies by the complainant have been addressed by Everfast.

RECOMMENDATION:

Staff finds that Everfast has resolved the customer's complaint and Lakeside Village is satisfied with the result. Staff recommends this Complaint Docket be closed.

¹⁰ Formal Complaint Against Everfast Fiber Networks by Lakeview Village Inc. (March 6, 2025)(Docket No. 25-EFNT-342-COM).

¹¹ Staff Email with Lakeview Village Staff, dated June 25, 2025.

¹² Everfast Fiber Networks, LLC Response to Formal Complaints, ¶ 6.

ATTACHMENT A

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CERTIFICATE OF SERVICE

25-EFNT-342-COM

I, the undersigned, certify that a true and correct copy of the above and foregoing Notice of Filing (Public) was served via electronic service this 12th day of August, 2025, to the following:

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