THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:

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

In the Matter of the Application of Home) Communications, Inc. Filing for Kansas Video) Docket No. 09-HOMC-284-VSA Service Authorization.)

ORDER APPROVING TERMINATION OF VIDEO SERVICE AUTHORIZATION

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 18, 2024, Home Communications, Inc. (Home) filed an Application

(Application) for termination of Video Service Authorization (VSA), as authorized by K.S.A.

12-2023(d) and K.A.R. 82-15-1(b)(3).

2. K.S.A. 12-2023(d) provides that a Certificate of VSA may be terminated by a video service provider with the submission of notice to the Commission. The Commission has promulgated a regulation under K.A.R. 82-15-1(b)(3) providing that a video provider seeking to terminate VSA must provide notice through filing an application.

3. On June 27, 2024, Staff submitted its Report and Recommendation (Staff's R&R) recommending approval of the Application to terminate Home's VSA. Staff indicated that Home provided written notice to its customers multiple times beginning October 2, 2023. Staff stated that Home's attempts to reach its customers allowed for ample time to research a new television provider.

4. Staff further indicated that in accordance with K.S.A. 12-2023(a), Commission action in this matter is required no later than July 18, 2024.

5. Staff recommended approval of the termination of Home's Video Service Authorization.

6. The Commission finds Staff's findings to be reasonable and hereby adopts Staff's recommendation approving the company's request for terminating its Video Service Authorization.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Application of Home Communications, Inc., requesting the termination of its state-issued Video Service Authorization is hereby granted. The Video Service Authorization shall be terminated effective with the date of this Order.

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).¹

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 07/09/2024

Lynn M. Ref

Lynn M. Retz Executive Director

AAL

¹ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

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Laura Kelly, Governor

REPORT AND RECOMMENDATION UTILITIES DIVISION

- TO: Chairperson Andrew J. French Commissioner Dwight D. Keen Commissioner Annie Kuether, Commissioner
 FROM: Steve Garrett, Deputy Chief of Telecommunications
- **FROM:** Steve Garrett, Deputy Chief of Telecommunications Jeff McClanahan, Director of Utilities
- **DATE:** June 27, 2024
- SUBJECT: Docket No. 09-HOMC-284-VSA

In the Matter of the Application of Home Communications, Inc. Filing for Kansas Video Service Authorization.

EXECUTIVE SUMMARY:

On June 18, 2024, Home Communications, Inc. (Home) filed an Application for Termination of its state-issued Video Service Authorization (VSA), as authorized by K.S.A. 12-2023 and K.A.R. 82-15-1. Staff recommends approval of this Application.

Per K.S.A. 12-2023(a), Commission action in this matter is required no later than **July 18**, **2024**.

BACKGROUND:

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.

K.S.A. 12-2023(d) provides that the Commission may terminate a video service authorization upon application for such termination by the video service provider.

In addition K.A.R. 82-15-1(b)(3) states:

Each entity that holds a video service authorization certificate and wants to terminate its authority to provide cable or video service shall file a termination application.



ANALYSIS:

The Applicant was issued an initial Video Service Authorization on November 4, 2008, for service areas in Assaria ASSA-01-HOME-01, Galva GALV-02-HOME-01, Roxbury ROXB-03-HOME-01, Salemsborg SALE-04-HOME-01, and Canton, Kansas CANT-05-HOME-01.

On April 26, 2018, the Applicant was granted authority to serve the additional service areas of Gypsum GYPM-06-HOMC-02, Genesco, Kansas GENS-07-HOMC-02, McPherson County Club MPCC-08-HOMC-02, NW Saline County NWSL-09-HOMC-02 and the expansion of the service area footprint for Canton CANT-05-HOMC-01.

On September 26, 2023, content provider NRTC, notified Home that they would no longer provide regular Internet Protocol Television (IPTV) programming content as of June 30, 2024. On October 2, 2023, an initial letter mailed to all 726 customers notifying of future service disruption due to Home's content provider no longer offering IPTV. Home offered an incentive for disconnecting before November 1, 2023 in the form of a \$30.00 credit on a customer's future bill.¹

On November 6, 2023, a letter was sent to all remaining customers who did not utilize the incentive for early disconnection.

A reminder letter or postcard was sent to all remaining customers on the following dates: January 8, 2024, February 20, 2024, April 8, 2024 and May 7, 2024. Home's numerous attempts to reach its customers, allowed ample time to research a new television provider, whether it was a streaming service or a satellite provider.

On June 18, 2024, the Applicant submitted an Application for Termination of its VSA with an effective date of June 30, 2024. Disconnection from video service of all remaining customers occurred on June 17, 2024. This date ensured that Home was able to do their final reporting to content provider NRTC, and to remove and return video equipment.

RECOMMENDATION:

Staff recommends Commission approval of Home's Application to terminate its Video Service Authorization.

¹ Correspondence with Tina Anderson (filer) requesting details on incentive offered to customers; on June 27, 2024

CERTIFICATE OF SERVICE

09-HOMC-284-VSA

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of

electronic service on <u>07/09/2024</u>

AHSAN LATIF, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ahsan.latif@ks.gov BECKI REGIER, TREASURER HOME COMMUNICATIONS, INC. 211S MAIN ST PO BOX 8 GALVA, KS 67443 bregier@hci-ks.com

/S/ KCC Docket Room KCC Docket Room