

BEFORE 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)
H&B Cable Service, Inc. for an Order)
Confirming Relinquishment of its Eligible)
Telecommunications Carrier Designation) Docket No. 17-HBCT-508-ETC
In the Chase Exchange and Notice Pursuant)
To K.S.A. 2015 Supp. 66-2005(d) of Intent to)
Cease Participation in the Kansas Lifeline)
Service Program.)

**MOTION FOR TIMELY ORDER APPROVING RELINQUISHMENT OF ETC
STATUS IN THE CHASE EXCHANGE**

COMES NOW H&B Cable Service, Inc., (H&B), Applicant herein, and respectfully requests that the Commission grant timely relief as specified herein. In support of its Motion H&B states as follows:

1. Commission Staff ("Staff") has recommended in Docket No. 17-SWBT-158-MIS that AT&T's relinquishment of its Eligible Telecommunications Carrier (ETC) designation in certain locations, including the Chase exchange, be approved.
2. Staff concurrently recommends that all other ETCs where the AT&T relinquishment is approved be required to satisfy subsequent requests for telecommunications services.
3. In the Chase exchange H&B would be the only remaining wireline ETC upon approval of AT&T's relinquishment of that status, and H&B thereon would be required to deploy costly new facilities to satisfy any request for new, additional or differing service where AT&T does not have facilities subject to a resale obligation.

4. There is no legal or factual basis to distinguish the ETC relinquishment approval request of AT&T, as to the Chase exchange, from H&B's request for approval of its own relinquishment.

5. Any request for local communications services from H&B in the Chase exchange following approval of AT&T's ETC relinquishment would result in customer confusion and dissatisfaction, contrary to the public interest.

6. Customer confusion and dissatisfaction, in the foregoing circumstance, can be avoided through the simple expedient of granting H&B's request for approval herein no later than the issuance of any order approving AT&T's ETC relinquishment as to the Chase exchange.

7. H&B's motion is further supported by its Petition for Leave to Intervene and Response to Staff's Second Report and Recommendation, filed this date in Docket No. 17-SWBT-158-MIS, which pleading H&B adopts herein by reference.

WHEREFORE H&B moves that the Commission grant the approval requested in this proceeding no later than any Order in Docket No. 17-SWBT-158-MIS approving AT&T's relinquishment of ETC status in the Chase exchange.

Respectfully submitted,


Thomas E. Gleason, Jr. #7741
GLEASON & DOTY, CHARTERED
PO Box 6
Lawrence, KS 66044-0006
(785) 842-6800 voice
(785) 856-6800 fax
gleason@sunflower.com

Mark Doty

Mark Doty #14526
GLEASON & DOTY, CHARTERED
P.O. Box 490
Ottawa, KS 66067
(785) 242-3775 voice
(785) 242-3855 fax
doty.mark@gmail.com
Attorneys for H&B Cable Service, Inc.

VERIFICATION

STATE OF KANSAS)
) ss:
COUNTY OF DOUGLAS)

Thomas E. Gleason, Jr., of lawful age, being first duly sworn upon oath, states:

I am an attorney for the H&B Cable Service, Inc. I have read the above and foregoing Motion, and upon information and belief, state that the matters therein appearing are true and correct.

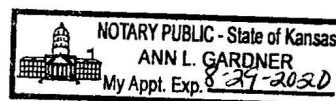
Thomas E. Gleason, Jr.
Thomas E. Gleason, Jr.

SUBSCRIBED AND SWORN to before me this 21st day of July, 2017.

Ann L. Gardner
Notary Public

My Commission Expires:

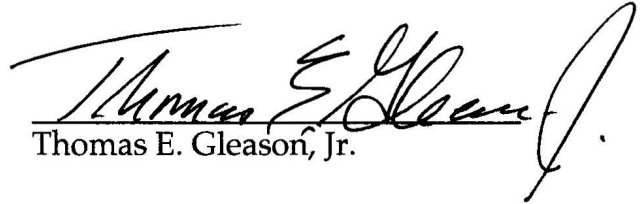
8-29-2020



CERTIFICATE OF SERVICE

Thomas E. Gleason, Jr. certifies a correct copy of the above and foregoing Motion was delivered to the following by electronic service this 21st day of July, 2017:

MICHAEL NEELEY, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604-4027
m.neeley@kcc.ks.gov


Thomas E. Gleason, Jr.