

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Shari Feist Albrecht, Chair
Jay Scott Emler
Dwight D. Keen

In the Matter of the Audit of)
Tempo Telecom, LLC)
by the Kansas Universal Service Fund (KUSF))
Administrator Pursuant to K.S.A. 2016 Supp.) Docket No. 18-TEMT-043-KSF
66-2010(b) for KUSF Operating Year 20,)
Fiscal Year March 2016-February 2017)
_____)

TEMPO TELECOM, LLC RESPONSE TO GVNW AUDIT REPORT

Pursuant to the Kansas Corporation Commission (“Commission”) August 1, 2017 procedural order in this matter,¹ Tempo Telecom, LLC (“Tempo”) respectfully submits this Response to the Kansas Universal Service Fund Audit Report (“Report”) filed by GVNW Consulting, Inc. (“GVNW”) in the above-referenced docket on June 29, 2018 (dated June 28, 2018). Tempo responds as follows:

1. Tempo is a prepaid wireless carrier operating throughout the United States. In Kansas, Tempo also has been designated as an eligible telecommunications carrier (“ETC”) to provide Lifeline wireless services to eligible Kansas consumers.

2. GVNW made two findings with respect to Tempo’s Kansas Universal Service Fund (“KUSF”) reporting, but only one of these findings effects Tempo’s KUSF contribution obligations.

¹ Docket No. 18-TEMT-043-KSF, *Audit of Tempo Telecom, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2016 Supp. 66-2010(b) for KUSF Operating Year 20, Fiscal Year March 2016-February 2017*, Order to Kansas Universal Service Fund Administrator to Commence Audit of Tempo Telecom, LLC and Order Setting Procedural Schedule (Aug. 1, 2017). The procedural order states Tempo may file a response to the Report no later than thirteen (13) calendar days from the date the Report is filed with the Commission.

3. Specifically, Audit Finding No. 2 found Tempo did not report to the KUSF the revenues earned from subscribers and reimbursed from the federal Lifeline program for the months of July 2016 to March 2018. As noted in the Report, however, Tempo rectified this error in reporting with its May 2018 filing (reporting April 2018 revenues). Tempo agrees with Audit Finding No. 2 that the additional KUSF assessment identified by GVNW should be paid.

4. The Report also claims Tempo has not complied with its KUSF reporting obligations in the past, and recommends Commission staff initiate a show cause proceeding if Tempo becomes delinquent with its KUSF obligations in the future.

5. Tempo takes its regulatory reporting obligations seriously, and regrets any prior delay in filing reports or responding to inquiries. Many of the delays were the result of employee departures and other reorganization of internal functions. Since that time, Tempo has implemented changes in its regulatory reporting. Tempo believes these changes are reflected in the information provided in Attachment A of the Report for FY 21 and FY 22, which show a significant reduction in delinquent filings. Tempo therefore disagrees with GVNW's recommendation regarding the initiation of a show cause proceeding.

6. Finally, GVNW notes in its cover letter that certain materials submitted by Tempo should not be treated as confidential by the Commission. Due to an oversight, Tempo did not respond to GVNW regarding the confidentiality designations before the Report was filed. Tempo agrees with GVNW that Attachments D, E, and F should not be treated as confidential. Tempo maintains that Attachment B should be treated as confidential pursuant to its request for confidential treatment included in the Report.

Respectfully submitted,

TEMPO TELECOM, LLC

A handwritten signature in black ink, appearing to read "MA Ansley", written over a horizontal line.

Michelle Ansley
Chief Administrative Officer
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Macon, GA 31210
Tel: 678-296-5962
michelle.ansley@lingo.com

Dated: July 12, 2018

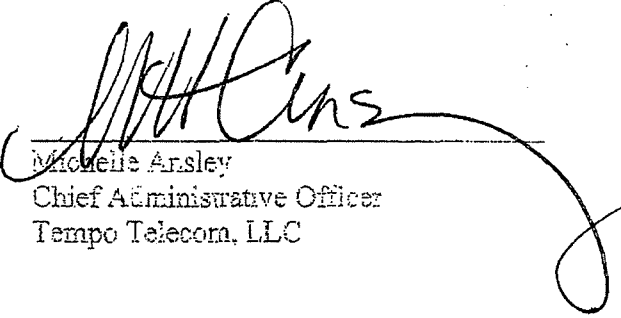
VERIFICATION

STATE OF GEORGIA)

) SS:

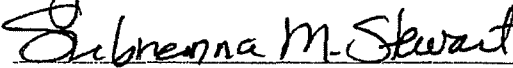
COUNTY OF COBB)

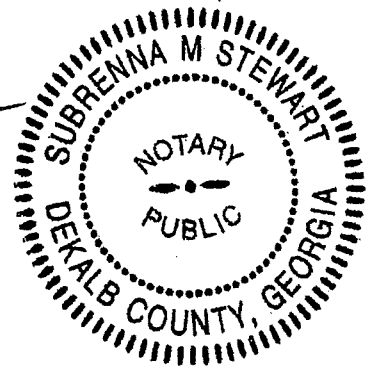
I, Michelle Ansley, state that I am the Chief Administrative Officer for Tempo Telecom, LLC ("Tempo"); that I am authorized to make this Verification on behalf of Tempo; that I have read the foregoing document; and that the statements in the foregoing document are true and correct to the best of my knowledge, information, and belief.


Michelle Ansley
Chief Administrative Officer
Tempo Telecom, LLC

Sworn and subscribed to before me this 11th day of July 2018.

My appointment expires August 10, 2021.


NOTARY PUBLIC



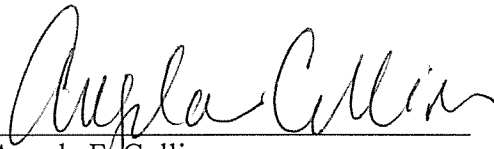
CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of July 2018, the above Comments were e-filed with the Kansas Corporation Commission and a copy was sent via electronic mail to:

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Angela F. Collins