

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the Matter of a General Investigation of)
Working Assets Funding Service, Inc to Show)
Cause Why This Commission Should Not) Docket No. 25-WAFC-460-SHO
Levy Sanctions, Penalties, and Fines or)
Cancel, Suspend, or Revoke Any Authority the)
Carrier Holds for Non-Compliance with)
Kansas Statutes and Commission Orders.)

ORDER TO SHOW CAUSE

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. The Commission has broad supervisory authority over all telecommunications public utilities in the state of Kansas and has a duty to inquire into any violation of law by a telecommunications public utility and its officers, agents and employees.¹

2. Working Assets Funding Service, Inc., (“Working Assets”) was granted a Certificate of Convenience and Authority (“COC”) to provide Interexchange services (“IXC”) within the state of Kansas in Docket No. 93-WAFC-035-COC.

3. On July 16, 2025, Commission Staff submitted to the Commissioners a Report and Recommendation (“R&R”), which is attached hereto and incorporated by reference. The R&R sets forth an investigation of Working Assets and enumerates filing and payment delinquencies, including: (1) its failure to submit the 2024 Annual Interrogatory (“AI”) Report to the Commission

¹K.S.A. 66-1,195.

due May 1, 2025; (2) pay its Commission assessments; (3) maintain “active and good standing” status with the Kansas Secretary of State; (4) maintain current status with Vantage Point Solutions (“VPS”), the Kansas Universal Service Fund (“KUSF”) Administrator; and (5) maintain current contact information with the Commission. Based on its review, Staff advised the Commission to open a proceeding for the purpose of directing Working Assets to show cause why it should not be subject to sanctions, penalties and/or fines in addition to having its IXC authority suspended, canceled or revoked for failure to comply with its statutory and regulatory obligations.

4. The Commission derives its authority and jurisdiction to supervise and control telecommunications public utilities from K.S.A. 66-1,188 and K.S.A. 66-2005(z). The Commission derives its authority to certificate and de-certificate public utilities from K.S.A. 66-131. Pursuant to K.S.A. 66-131, the Commission must review all certification and decertification applications to determine whether the public convenience and necessity will be promoted by granting the request.

5. K.S.A. 66-123 states “annual reports shall be filed on or before May 1 for the preceding calendar year unless otherwise specified by commission order or rule and regulation.” Public utilities that fail to comply with this statute “shall be subject to a civil penalty of not more than \$500.” To date, Working Assets has failed to file its AI Report.

6. K.S.A. 66-138(a)(2) provides the Commission with authority to levy fines and penalties against a telecommunications carrier for violating statutes under which the Commission has a duty to act, refusing to comply or obey any lawful Commission requirement and failing to abide by any Commission order. A sum not less than \$100 and no more than \$5,000 may be assessed against a violator for each offense. The Commission finds the statutory penalties for violating Commission statutes, orders and rules and regulations appear to be appropriate for consideration based on Staff’s analysis and Report and Recommendation.

7. Staff indicated that repeated attempts have failed to establish any direct communication with Working Assets.

8. Based upon the foregoing, Staff recommended the Commission open a proceeding to require Working Assets to show cause why the Commission should not impose appropriate sanctions and fines under K.S.A. 66-138(a)(2). Consequently, the Commission determines that a Show Cause Docket should be opened, and Working Assets be given the opportunity to respond to the Staff's Report and Recommendation of July 16, 2025.

9. The Commission finds Staff's findings and recommendation to be reasonable and hereby adopts and incorporates Staff's attached R&R.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Working Assets Funding Service, Inc., shall show cause within thirty (30) days of receipt of this Order, why it should not be subject to sanctions, fines, or penalties for failing to maintain compliance with its Kansas statutory and regulatory obligations.

B. Working Assets Funding Service, Inc., is hereby directed to: (1) bring their business entity registration status to "active and good standing" with the Kansas Secretary of State; (2) immediately submit the Annual Interrogatory Report that was due May 1, 2025; (3) pay in full its Commission assessments; (4) provide updated contact information to VPS and come into compliance with the KUSF by fulfilling all obligations and assessments within 30 days of issuance of this Order.

C. 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).²

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

²K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

Dated: 08/14/2025



Celeste Chaney-Tucker
Executive Director

BWB

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: Drennan Dolsky, Telecommunications Analyst
Steve Garrett, Deputy Chief of Telecommunications
Janet Buchanan, Deputy Director of Utilities
Justin Grady, Director of Utilities

DATE: July 18, 2025

RE: Docket No. 25-WAFC-460-SHO
In the Matter of a General Investigation of Working Assets Funding Service, Inc to Show Cause Why This Commission Should Not Levy Sanctions, Penalties, and Fines or Cancel, Suspend, or Revoke Any Authority the Carrier Holds for Non-Compliance with Kansas Statutes and Commission Orders.

EXECUTIVE SUMMARY

Working Assets Funding Service, Inc (Working Assets) is delinquent with its submission of the 2024 Annual Interrogatory (AI) Report and payment of assessments owed to the Kansas Corporation Commission (Commission). By statute and Commission Orders, Working Assets must file a singular AI Report for their certificate as an Interexchange Carrier (IXC) and pay assessments. Therefore, Working Assets is non-compliant with K.S.A. 66-138, K.S.A. 66-123, K.S.A. 66-1503 and Commission Orders.

Telecommunications staff (Staff) recommends the Commission issue an order to open a proceeding requiring Working Assets to show cause why it should not be subject to sanctions, penalties, and/or fines and why its Certificate of Convenience and Authority (COC) for IXC services in Kansas should not be canceled, suspended, or revoked for failure to comply with its Kansas obligations.

BACKGROUND

This Report and Recommendation requests the Commission open a proceeding for Working Assets to show cause why its IXC certificate¹ should not be revoked and its tariff that is on file with the Commission canceled and removed.

The Commission derives its authority and jurisdiction to supervise and control telecommunications public utilities from K.S.A. 66-1,188 and K.S.A. 66-2005(z). The Commission derives its authority to certificate and de-certificate public utilities from K.S.A. 66-131. Pursuant to K.S.A. 66-131, the Commission must review all certification and decertification applications to determine whether the public convenience and necessity will be promoted by granting the request.

K.S.A. 66-138(a) provides that:

(a) If any common carrier or public utility governed by the provisions of this act violates any of the provisions of this act, or shall do any act herein prohibited, *or fails or refuses to perform any duty enjoined upon it in this act, or fails, neglects or refuses to obey any lawful requirement or order made by the commission*, or any final judgment or decree made by any court upon appeal from any order of the commission, *it shall, for every such violation, failure or refusal*, forfeit and pay to the state treasurer (1) A sum not less than \$100 and not more than \$1,000 for such offense if the violator is a telecommunications public utility subject to traditional rate of return regulation; a telecommunications public utility described in K.S.A. 66-104a, and amendments thereto; a municipally owned and operated electric or natural gas public utility; an electric or natural gas cooperative public utility; a water public utility; or a nonprofit public utility; and (2) a sum not less than \$100 and not more than \$5,000 for such offense if the violator is any other common carrier or public utility. Upon receipt of any such sum, the state treasurer shall credit the entire amount thereof to the public service regulation fund or the motor carrier license fee fund, as the case requires. (Emphasis added).

K.S.A. 66-1,195 grants the Commission supervision of all telecommunication's public utilities over which the commission has jurisdiction. The Commission has authority to "inquire into any neglect or violations *of the laws of this state* by any such telecommunications public utility or by the officers, agents or employees thereof." (Emphasis added).

ANALYSIS

Working Assets is required to comply with its statutory and Commission obligations. Staff discovered areas of concern through multiple attempts to communicate with the company about providing information required by the AI. Working Assets has failed to: (1) file its 2024 AI revenue report due May 1, 2025; (2) pay its Commission assessments; (3) maintain "active and good standing" status with the Kansas Secretary of State; (4) maintain current status with the Kansas Universal Service Fund administrator, Vantage Point Solutions (VPS); and (5) maintain current contact information.

On January 8, 2025, Staff sent Working Assets an email containing a letter with instructions on how to submit the AI as well as a reminder that the due date is the beginning of May. Staff sent Working Assets an email on May 8, 2025, addressed to every contact on file for the company

¹ See Order, Docket No. 93-WAFC-035-COC, July 28, 1992.

containing a late notice letter.² After having no contact with Working Assets, a follow-up email was sent on May 20, 2025, to several contacts listed for the company including daniel.meldazis@jsitel.com. The now former consultant, Daniel Meldazis, replied to Staff's email. The consultant indicated that the company was no longer active as of December 2024, but did not formally withdraw from service in Kansas. The consultant stated that Working Assets no longer has employees, therefore, the company will not submit the AI. K.S.A. 66-123: "Annual reports shall be filed on or before May 1 for the preceding calendar year unless otherwise specified by commission order or rule and regulation." The potential fine for failing to submit just the AI Report is a maximum of \$500 fine.

K.S.A. 66-1503 provides for the Commission to impose an assessment on all public utilities based on a percentage of a utility's gross intrastate operating revenues (GIOR). Working Assets currently owes the Commission \$175 for assessments with invoices dating back to October 16, 2023.

A company that operates in the interstate jurisdiction is required to annually file with the Federal Communications Commission (FCC) to identify the services it provides and the states in which the company intends to offer services. Working Assets' most recent filing with the FCC is dated November 23, 2024,³ and it identifies Kansas as a state in which the company is certificated to do business.

Working Assets is a Foreign For-Profit Corporation currently with a Forfeiture status as of July 15, 2025, for resignation of Resident Agent without appointing a successor.⁴ Its biannual report was due on April 15, 2025. A Forfeiture status is when the 90-day delinquency period has passed. According to VPS's KUSF Fiscal Year 29 Company Identification and Operations form (FY29),⁵ Working Assets' KUSF account was closed March 2025, due to VPS receiving returned mail in January 2025.

In the previously discussed email exchange with the former consultant, Staff advised that it would recommend that a Show Cause proceeding be opened to cancel or revoke the COC for failing to comply with the statute as authorized by K.S.A. 66-138.

RECOMMENDATION

Working Assets is not in compliance with K.S.A. 66-138, K.S.A. 66-123, K.S.A. 66-1503 and Commission Orders.

Staff recommends the Commission issue an order to open a proceeding and require Working Assets to show cause why it should not be subject to sanctions, penalties, and/or fines and/or why its COCs to provide IXC services in Kansas should not be canceled, suspended, or revoked for failure to comply with its Kansas obligations. If Working Assets wishes to continue to provide service in Kansas, Staff recommends that the company be directed to: bring their status with the Kansas Secretary of State to "active and good standing"; immediately submit the 2024 AI Report

² Attachment 2, Final Notice Letter, May 8, 2025.

³ FCC Form 499 Filer Database, Working Assets Funding Service, Inc, <https://apps.fcc.gov/cgb/form499/499detail.cfm?FilerNum=803457>, last viewed June 26, 2025.

⁴ Kansas Secretary of State, Working Assets Funding Service, Inc. <https://www.sos.ks.gov/eforms/BusinessEntity/Search.aspx>, last viewed July 16, 2025.

⁵ Attachment 1, VPS KUSF FY29 form, June 4, 2025.

that was due on May 1, 2025; pay-in-full its Commission assessments; provide updated contact information; and, come into compliance with VPS by fulfilling all Kansas Universal Service Fund obligations and assessments.

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Updated Letter
Date: Wednesday, May 21, 2025 9:54:00 AM
Attachments: [image001.png](#)

Good morning [REDACTED],

We appreciate you wanting to save us some time and work, but unfortunately we have procedures in place that won't allow us to close their file any other way than a Show Cause Docket.

Sincerely,

Drennan Dolsky
Telecommunications Analyst



Utilities Division
Kansas Corporation Commission
1500 SW Arrowhead Road | Topeka, KS | 66604-4027
Phone (785) 271-3142 | Drennan.Dolsky@ks.gov

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: Re: Updated Letter

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi Drennan,

You can send them to me, but there is no left at the company. Is there anything that we can do to close their file? I just don't want the staff to have to go through all of the process with no response from the company, with the end result being the same.

[REDACTED]

[REDACTED]

Please note that I will be out of the office Friday May 23, 2025.

[REDACTED]

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[REDACTED] They are only intended for the person or persons to whom the email is addressed. Any unauthorized use, disclosure, storage, copying, retransmission, or distribution of the contents of this email or its attachments or taking any action based upon the information contained in them is strictly prohibited. If the attachments are legal in nature, for example an interconnection agreement or a contract, we strongly advise that you have your local counsel review the document(s) to ensure that it satisfies all legal requirements. If you have received this communication in error, please delete the email immediately and contact the sender.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: RE: Updated Letter

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: External Email - Please be cautious when opening links or attachments in email

Thank you for the notice, [REDACTED]

We have a statute in place that require companies to submit Annual Interrogatories every year. Since it doesn't sound like we'll be able to get an Annual Interrogatory from the Company and/or a certificate to cease, we will most likely have to do a Show Cause docket in the near future.

Who should we notice the Show Cause to if that's the route we go?

Sincerely,

Drennan Dolsky
Telecommunications Analyst



Utilities Division
Kansas Corporation Commission
1500 SW Arrowhead Road | Topeka, KS | 66604-4027
Phone (785) 271-3142 | Drennan.Dolsky@ks.gov

[REDACTED]

Subject: Re: Updated Letter

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi Drennan,

This former client shut down service rather abruptly in late December. Despite our efforts to have them withdrawal from any state they were in, the decision was made by Working Assets to leave the marketplace as they had no customers.

Please let me know if you have any questions, I would be happy to talk with you. Thank you.

[REDACTED]

[REDACTED]

Please note that I will be out of the office Friday May 23, 2025.

[REDACTED]

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[REDACTED]

You don't often get email from [REDACTED] [Learn why this is important](#)

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2nd request for Working Assets Funding Service, Inc.

Sincerely,

Drennan Dolsky
Telecommunications Analyst



Utilities Division
Kansas Corporation Commission
1500 SW Arrowhead Road | Topeka, KS | 66604-4027

Phone (785) 271-3142 | Drennan.Dolsky@ks.gov

From: Drennan Dolsky [KCC]

Sent: Thursday, May 8, 2025 4:32 PM

Subject: Updated Letter

Good afternoon,

Last year's letter was mistakenly attached to the email sent out in regards to the Late Annual Interrogatory.

Attached is the updated letter.

Sorry for any confusion.

Sincerely,

Drennan Dolsky

Telecommunications Analyst



Utilities Division

Kansas Corporation Commission

1500 SW Arrowhead Road | Topeka, KS | 66604-4027

Phone (785) 271-3142 | Drennan.Dolsky@ks.gov

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CERTIFICATE OF SERVICE

25-WAFC-460-SHO

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 08/14/2025.

BRETT W. BERRY, LITIGATION COUNSEL
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