

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of Interconnection)
Agreement Between Cebridge Telecom)
KS, LLC d/b/a Suddenlink) Docket No. 24-CKST-248-IAT
Communications and MoKan Dial,)
Inc.)

In the Matter of the Application of)
Cebridge Telecom KS, LLC for a)
Certificate of Convenience and) Docket No. 13-CKST-711-COC
Authority to Provide Local Exchange)
and Exchange Access Service Within)
the State of Kansas.)

MOTION FOR ORDER CORRECTING CERTIFICATE OF CONVENIENCE

COME NOW the identified rural telephone companies¹ (“RLECs”) and move the Commission to issue an Order Correcting the Competitive Local Exchange Carrier (“CLEC”) Certificate of Convenience previously granted to Suddenlink in Docket No. 13-CKST-711-COC. In support, the RLECs show the Commission as follows:

¹ Blue Valley Tele-Communications, Inc., Craw-Kan Telephone Cooperative, Inc., Golden Belt Telephone Association, Inc., Haviland Telephone Co., Inc., JBN Telephone Co., Inc., KanOkla Telephone Association, Madison Telephone, LLC, Mutual Telephone Company, Peoples Telecommunications, LLC, Pioneer Telephone Association, Inc., Rainbow Telecommunications Association, Inc., S&A Telephone Company, LLC, S&T Telephone Cooperative Association, Inc., South Central Telephone Association, Inc., Tri-County Telephone Association, Inc., United Telephone Association, Inc., Wheat State Telephone, Inc., d/b/a Wheat State Technologies, Columbus Communications Services, LLC, Cunningham Telephone Co., Inc., Gorham Telephone Co., Inc., H&B Communications, Inc., Home Telephone Co. Inc., LaHarpe Telephone Co., Inc., Southern Kansas Telephone Co., Inc., Totah Communications, Inc., Twin Valley Telephone, Inc., Wamego Telecommunications Co., Inc., Wilson Telephone Co., Inc., Zenda Telephone Co., Inc., and Rural Telephone Service Co., Inc.

1. On May 17, 2013, in Docket No. 13-CKST-711-COC, Cebridge Telecom KS, LLC d/b/a Suddenlink (“Suddenlink”), filed an application requesting the Commission grant it local exchange and exchange access operating authority in “all areas in Kansas.” The Commission’s order, dated August 29, 2013, granted Suddenlink authority to operate “within the State of Kansas.”

2. As explained further in the Petition to Intervene, Objection to Interconnection Agreement and Petition to Appropriately Limit CLEC Certificate of Convenience filed simultaneously in Docket No. 13-CKST-711-COC and in Docket No. 24-CKST-248-IAT, on September 15, 2023, Kansas law does not give Suddenlink the ability to provide service outside of AT&T and CenturyLink legacy service areas.

3. As noted by the Commission in its Order Granting Petition to Intervene, filed in both dockets on November 21, 2023, there has been no response to the Petition to Intervene. Although Suddenlink, on December 4, 2023, filed a Motion to Withdraw its application for approval of an interconnection agreement, which the RLECs do not oppose, that Motion did not address the RLECs’ pending Petition to Appropriately Limit CLEC Certificate of Convenience. MoKan and SuddenLink have not raised any objections or provided any arguments against correcting the certificate of convenience. Failing to raise any objections should be considered a default of this issue.

WHEREFORE, there being no objections or reasons otherwise, the Commission should grant the RLECs request, and issue an order correcting SuddenLink’s certificate of convenience to conform to Kansas law and appropriately limit SuddenLink’s operating authority in Kansas to AT&T and CenturyLink legacy service areas.

Respectfully submitted,

/s/Colleen R. Jamison

Colleen R. Jamison
JAMISON LAW, LLC
PO BOX 128
Tecumseh, KS 66542
785-331-8214

colleen.jamison@jamisonlaw.legal

Attorney for:

Blue Valley Tele-communications, Inc.
Golden Belt Telephone Association, Inc.
KanOkla Telephone Association
Madison Telephone, LLC
Mutual Telephone Company
Peoples Telecommunications, LLC
Pioneer Telephone Association, Inc.
Rainbow Telecommunications Association, Inc.
S&A Telephone Company, LLC
S&T Telephone Cooperative Association, Inc.
South Central Telephone Association, Inc.
United Telephone Association, Inc.
Wheat State Telephone, Inc.

/s/Mark Doty

Mark Doty Ks. S. Ct. #14526
Gleason & Doty, Chartered
401 S. Main, Ste. 102
Ottawa, KS 66067
785-242-3775

doty.mark@gmail.com

Attorney for:

Columbus Communications Services, LLC
Cunningham Telephone Co., Inc.
Gorham Telephone Co., Inc.
H&B Communications, Inc.
Home Telephone Co. Inc.
LaHarpe Telephone Co., Inc.
Southern Kansas Telephone Co., Inc.
Totah Communications, Inc.
Twin Valley Telephone, Inc.
Wamego Telecommunications Co., Inc.
Wilson Telephone Co., Inc.
Zenda Telephone Co., Inc.

/s/Anthony Veach

Anthony K. Veach, KS Bar #29613

1575 Birdie Way, A107

Lawrence, KS 66047

202-631-9190

anthonyveach@anthonyveachlaw.com

Attorney for:

Rural Telephone Service Company, Inc.

VERIFICATION

I, the undersigned, hereby certify under penalty of perjury pursuant to K.S.A. 53-601 that I am an attorney for the companies listed above and that the foregoing is true and correct. Executed on December 6, 2023.

/s/Colleen R. Jamison

Colleen R. Jamison

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the above and foregoing was sent via electronic mail this 6th day of December 2023, addressed to the following, as reflected on the Commission's service list as last modified November 1, 2023:

TED CHRISTENSEN, SR. DIRECTOR - ACCOUNTING
CEBRIDGE TELECOM KS, LLC D/B/A SUDDENLINK COMMUNICATIONS
ONE COURT SQUARE
LONG ISLAND CITY, NY 11101
Ted.Christensen@AlticeUSA.com

K. C. HALM, ATTORNEY
DAVIS WRIGHT TREMAINE LLP
1919 PENNSYLVANIA AVE NW STE 800
WASHINGTON, DC 20006
KCHALM@DWT.COM

MARK P. JOHNSON, PARTNER
DENTONS US LLP
4520 MAIN STREET STE 1100
KANSAS CITY, MO 64111-7700
MARK.JOHNSON@DENTONS.COM

BRETT W. BERRY, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
b.berry@kcc.ks.gov

DAVID COHEN, ASSISTANT GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
d.cohen@kcc.ks.gov

Gina Spade
Broadband Legal Strategies, LLC 1118 Rankin Dr
Lawrence, KS 66049
gina@broadbandlegal.com

/s/ Colleen R. Jamison

Colleen R. Jamison