

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Susan K. Duffy

In the Matter of a General Investigation into)
the Adjustment of Intrastate Switched Access)
Charges for Rural Telephone Companies in) Docket No. 21-GIMT-021-GIT
Compliance with K.S.A. 66-2005(e) and)
Federal Communications Commission)
Reforms.)

ORDER APPROVING RLEC TARIFFS; CLOSING DOCKET

NOW, 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:

Condensed Background

1. On July 21, 2020, the Commission issued an *Order Opening Docket; Requiring Compliance Filings; Establishing Procedural Schedule* (Opening Order) in this Docket requiring rural local exchange carriers (RLECs) to submit certain data to the Commission by August 21, 2020. The purpose of the data submission was to enable the Commission to determine the requisite intrastate switched access rate adjustments and Kansas Universal Service Fund (KUSF) support adjustments necessitated by K.S.A. 66-2005(c) for 2021.

2. On October 8, 2020, the Commission issued an *Order Adopting Revised Intrastate Access Rates, Revenues & KUSF Adjustments* (Access Rate Order). The Access Rate Order adopted both the intrastate access rates for the RLECs, effective July 1, 2021, and the KUSF adjustments contemplated by the Opening Order.

3. With respect to the intrastate access rate adjustments, the RLECs were required to file revised intrastate access tariffs reflecting the originating access rates adopted by the Access Rate Order by May 28, 2021, with the tariffs effective July 1, 2021. No further action regarding KUSF adjustments was mandated.

4. On May 25, 2021, in Docket No. 21-GIMT-426-GIT, the Commission issued an *Order Opening Docket; Requiring Compliance Tariff Filings Regarding 8YY Intercarrier Compensation Charges* (8YY Order) requiring all LECs to make certain adjustments to their originating 8YY end office, tandem switching and transport, and database query charges pursuant to revised Federal Communications Commission (FCC) rules. RLECs were specifically given the option to make the required changes in in this docket or in Docket No. 21-GIMT-426-GIT to avoid duplicate filings.

Staff's Report and Recommendation

5. Staff submitted a Report and Recommendation (R&R) dated June 2, 2021, attached hereto as Exhibit A and made a part hereof by reference.

6. Staff noted that all RLECs required to file updated intrastate switched access tariffs have done so by the May 28, 2021, deadline. Staff also noted that all RLECs made the changes required by the 8YY Order in this docket.

7. As all RLECs have complied with the requirements of both the Access Rate Order and 8YY Order, Staff recommended that the Commission approve all of the intrastate switched access tariffs that were submitted by the RLECs. Staff explained that all RLECs, except for Columbus and LaHarpe, either concur with or have company specific tariff pages contained in the Blue Valley tariff. Therefore, Staff is specifically recommending approval of the tariffs filed by Blue Valley, LaHarpe, and Columbus.

Findings and Conclusions

8. The Commission finds Staff's findings and recommendations to be reasonable, and hereby adopts the same.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The revised intrastate access tariffs filed by the RLECs in this matter are approved, effective July 1, 2021.

B. This docket is closed.

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).¹

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Duffy, Commissioner

Dated: 06/10/2021 _____



Lynn M. Retz
Executive Director

MRN

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

REPORT AND RECOMMENDATION UTILITIES DIVISION

TO: Chairperson Andrew J. French
Commissioner Dwight D. Keen
Commissioner Susan Duffy

FROM: Sandy Reams, Assistant Chief of Telecommunications
Bryan Seamans, Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: June 2, 2021

SUBJECT: Docket No. 21-GIMT-021-GIT

In the Matter of a General Investigation into the Adjustment of Intrastate 8YY Access Charges Pursuant to the Federal Communications Commission's Reforms, Effective July 1, 2021.

EXECUTIVE SUMMARY

Pursuant to the Commission's October 8, 2020 Order in this Docket¹ Blue Valley Telecommunications, Inc. (Blue Valley); LaHarpe Telephone Co., Inc. (LaHarpe); and Columbus Communications Services, LLC (Columbus) filed revised intrastate access tariffs to reflect the adjustment of their intrastate originating switched access rates to interstate levels. Blue Valley, Columbus, and LaHarpe also incorporated the Federal Communications Commission's (FCC) 8YY (toll/long distance) access reforms as authorized in the Commission's May 25, 2021 Order in Docket No. 21-GIMT-426-GIT (Docket 426) in their proposed tariffs.²

The proposed tariffs comply with the FCC's and Commission's directives, therefore, Staff recommends the Commission issue an order to approve the tariffs, effective July 1, 2021.

BACKGROUND

On April 23, 2020, the Commission issued an Order opening this Docket to determine the intrastate switched access rate and revenue and Kansas Universal Service Fund (KUSF) support adjustments required by K.S.A. 66-2005(c) for 2021 for the rural Local Exchange Carriers (LECs). In its October 8, 2020 Order, the Commission adopted the intrastate originating access rates, revenues,

¹ Order Adopting Revised Intrastate Access Rates, Revenues, and KUSF Adjustments; Penalties for Mo-Kan and South Central, Oct. 8, 2020.

² Order Opening Docket; Requiring Compliance Tariff Filings Regarding 8YY Inter-carrier Compensation Charges, Docket No. 21-GIMT-426-GIT, May 25, 2021.

and KUSF support adjustments to be effective July 1, 2021. The Commission directed the rural LECs to file revised intrastate access tariffs reflecting the adopted intrastate switched originating access rates in this Docket by May 28, 2021. This allows Staff time to review the tariffs and the Commission time to issue an order approving the tariffs prior to the July 1, 2021, effective date.

On October 9, 2020, the FCC released a Report and Order addressing toll-free access rate reforms (8YY Order).³ The FCC capped all originating interstate and intrastate 8YY end office, tandem switching and transport, and database query charges at their current rates. The FCC will transition 8YY end office and transport rates to bill-and-keep (\$0.00) and database query charges to a cap of \$0.0002 per query over a three-year period beginning July 1, 2021, and ending July 1, 2023. The FCC also adopted a single, uniform nationwide capped rate of \$0.001 per minute for originating 8YY tandem switching and transport access charges, effective July 1, 2021, and directed each incumbent LEC to tariff separate rate elements for its interstate and intrastate originating toll free and non-toll free end office and transport service. The FCC further directed database query charges to be reduced, effective July 1, 2021, to no more than \$0.004248 per query and prohibits carriers from charging more than one query charge per call.

On May 25, 2021, the Commission opened Docket 426 to address the FCC's 8YY reforms.⁴ The Commission directed all impacted incumbent and competitive LECs to file revised tariffs in the Docket. Specifically, the Commission directed the rural LECs to file revised intrastate access tariffs to reflect the FCC's 8YY reforms in Docket 426 by June 1, 2021, however, the Commission recognized the rural LECs would file revised intrastate access tariffs in this Docket by May 28, 2021, and authorized the rural LECs to include the revised 8YY intrastate rates with the tariff revisions filed in this Docket.

Blue Valley, Columbus, and LaHarpe maintains their own intrastate access tariffs. The remaining rural LECs concur, either completely or partially, in Blue Valley's tariff. The rural LECs that completely concur in Blue Valley's tariff do not file separate intrastate tariffs while each rural LECs that partially concurs in Blue Valley's intrastate tariff has separate, company-specific tariff pages identifying its non-concurring rates in Blue Valley's tariff.⁵

ANALYSIS

Blue Valley, Columbus, and LaHarpe filed their revised intrastate access tariffs on or before May 28, 2021, in compliance with the Commission's October 2020 Order. The revised intrastate access tariffs reflect the FCC's 8YY reforms and the intrastate originating rates approved by the Commission in the October 2020 Order.

RECOMMENDATION

Staff recommends the Commission issue an Order approving Blue Valley, Columbus, and LaHarpe's revised intrastate access tariffs and rates, effective July 1, 2021.

³ In the Matter of 8YY Access Charge Reform, 2020 WL 7424219, ¶ 8 (Oct. 9, 2020).

⁴ Order Opening Docket; Requiring Compliance Tariff Filings Regarding 8YY Intercarrier Compensation Charges, Docket No. 21-GIMT-426-GIT, May 25, 2021.

⁵ Moundridge Telephone Company; Pioneer Telephone Association, Inc.; Rural Telephone Service Co., Inc.; Totah Telephone Co., Inc.; Twin Valley Telephone, Inc.; and Wamego Telecommunications Company do not concur in all of Blue Valley's tariff and have separate tariff pages within Blue Valley's tariff.

CERTIFICATE OF SERVICE

21-GIMT-021-GIT

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 06/10/2021.

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21-GIMT-021-GIT

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/S/ DeeAnn Shupe

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