

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

In the Matter of a General Investigation for Tru )  
Mobility, Inc. to Show Cause Why this ) Docket No. 21-TMIV-449-SHO  
Commission Should Not Levy Sanctions, )  
Penalties, and Fines for Non-Compliance with )  
Kansas Statutes and Commission Orders )

**NOTICE OF FILING OF REVISED VPS MEMO REGARDING OUTSTANDING  
LIABILITIES**

The Staff of the Kansas Corporation Commission (Staff and Commission, respectively) hereby submits the attached Revised Kansas Universal Service Fund (KUSF) Memo prepared by Vantage Point Solutions (VPS), the current KUSF Administrator, dated August 31, 2022. In the Revised KUSF Memo, VPS explains that as a result of several payments, Tru Mobility, Inc.'s outstanding balance is now \$15,270.03. The previous KUSF Memo dated August 29, 2022, unintentionally omitted certain payments that had occurred affecting Tru Mobility's balance, however, the ultimate outstanding balance was correct. Staff is filing this Revised KUSF Memo to reflect all of the payments.

WHEREFORE, Staff respectfully requests that the Commission issue an Order noting Tru Mobility, Inc.'s payments so that the Commission's Fiscal Division can revise the amount subject to collections.

Respectfully Submitted,

/s/ Michael Neeley  
Michael Neeley, S. Ct. #25027  
Senior Litigation Counsel  
Kansas Corporation Commission  
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## KUSF MEMO

Date: August 31, 2022

To: Sandy Reams, Assistant Chief of Telecommunications

From: Nicole Stephens, KUSF Compliance Manager

RE: Docket No. 21-TMIV-499-SHO

In the Matter of a General Investigation for Tru Mobility, Inc. to Show Cause Why this Commission Should Not Levy Sanctions, Penalties, and Fines for Non-Compliance with ) Kansas Statutes and Commission Orders

### **BACKGROUND**

This Memorandum provides updated KUSF reporting information to the Kansas Corporation Commission (Commission) for Tru Mobility, Inc. (Tru), KUSF Account No. KS006449, as an update to its previous Memo dated August 29, 2022.

On April 8, 2022, Staff filed a second Report and Recommendation (R&R), recommending the Commission: (1) find Tru non-compliant with the Commission's Show Cause Order; (2) find that Tru owes \$4,274.37 of assessment contributions and \$13,495.66 of penalties to the KUSF (for a total balance of \$17,770.03); (3) deny Tru's requests to remit monthly payments and waive or reduce its KUSF penalties; (4) direct VPS to stop accruing additional penalties for Tru; and (5) give Tru 45 days to pay its delinquent KUSF balance before the Commission initiates collection actions against the Company.

On April 19, 2022, Tru made a payment of \$1,500 to the KUSF. On April 22, 2022, Tru submitted its March 2021 – February 2022 (FY 25) Annual True-up, to report actual revenue for the period, and owed \$345.37 in assessment. On April 22, 2022, Tru also submitted its March 2022 – February 2023 (FY 26) Annual Carrier Remittance Worksheet, to report estimated revenue for the period, and owed \$425.84 in assessment for the period along with a \$100 Late Filing Penalty. With the above-referenced filings and payments, Tru's balance as of April 30, 2022 consisted of \$3,545.58 of assessment contributions and \$13,595.66 of penalties, for a total balance of \$17,141.24.

Tru did not respond to Staff's second R&R. On April 28, 2022, the Commission issued an *Order Assessing Penalties for Failure to Comply with K.S.A. 66-2008(a)*. The Commission determined 1) Tru failed to comply with Commission's Show Cause Order; (2) Tru's requests to remit monthly payments and waive or reduce its KUSF penalties was denied; and 3) Tru has 45 days from the date of the Order to pay

\$4,274.37 of KUSF assessment contributions and \$13,495.66 of penalties to the KUSF. The Commission further found that if Tru did not pay the amounts owed to the KUSF, the Commission would initiate collections actions against Tru. The Commission also directed VPS to stop accruing additional penalties for Tru.

On May 28, 2022, Tru remitted a payment of \$871.21 to the KUSF for assessment owed for its March 2021 – February 2022 (FY 25) annual true-up and March 2022 – February 2023 (FY 26) annual assessment. As a result, Tru's KUSF balance is \$16,270.03.

On June 24, 2022, the Commission's Fiscal Division confirmed to VPS that it had submitted Tru's KUSF outstanding balance of \$16,270.03 to collections. The purpose of this Memo is to notify the Commission that on August 26, 2022, Tru remitted a payment of \$1,000 to the KUSF, thus reducing its outstanding balance to \$15,270.03.

**CERTIFICATE OF SERVICE**

21-TMIV-449-SHO

I, the undersigned, certify that a true and correct copy of the above and foregoing Notice of Filing of Revised VPS Memo Regarding Outstanding Liabilities was served via electronic service this 31st day of August, 2022, to the following:

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