

COLLEEN R. JAMISON
JAMISON LAW, LLC

October 27, 2022

Lynn M. Retz, Executive Director
Kansas Corporation Commission
1500 SW Arrowhead Rd.
Topeka, KS 66604

RE: Nex-Tech Wireless, L.L.C.
Application for approval of traffic factors for KUSF reporting
Docket No. 23-GIMT-261-GIT

Dear Ms. Retz:

Attached for filing in the above-captioned docket please find Nex-Tech Wireless, L.L.C.'s application to be allowed to use its updated traffic factor study in its KUSF assessment determination to be effective January 1, 2023. Also please find the supporting affidavit of its President and CEO Jon Lightle.

Pursuant to K.S.A. 66-1220a, the wireless traffic factors are claimed as confidential. This information is not publicly available and the disclosure of this information could give access to sensitive financial and operating information thus giving outside companies a competitive advantage.

If you have any questions, please let me know.

Sincerely,

Colleen R. Jamison

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JAMISON LAW, LLC

Att.

cc: Shannon Burkhardt

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

In the Matter of an Investigation to)	
Determine the Affordable Local Service)	
Rates for Rate-of-Return Regulated Carriers)	
and the Annual Assessment Rate for the)	Docket No. 23-GIMT-261-GIT
Twenty-Seventh Year of the Kansas)	
Universal Service Fund, Effective March 1,)	
2023.)	

**NON-CONFIDENTIAL APPLICATION OF NEX-TECH WIRELESS, L.L.C
FOR APPROVAL OF USE OF TRAFFIC STUDIES
FOR KANSAS UNIVERSAL SERVICE FUND REPORTING**

COMES NOW Nex-Tech Wireless, L.L.C. (hereinafter “NTW”) and requests permission for NTW to, effective January 1, 2023, use the inverse percentage derived by NTW’s traffic study to determine the intrastate revenues for its Kansas Universal Service Fund (“KUSF”) assessment. In support, NTW shows the Commission as follows:

1. In 2003, the Commission determined in Docket No. 03-GIMT-923-GIT that “[a] wireless carrier may report revenue based on the FCC safe harbor rules or on a documented study accepted by the FCC” and has allowed other wireless carriers to use a traffic study to determine intrastate retail revenues for KUSF assessment purposes.

2. NTW performed a traffic study for the most recent three months of actual intrastate usage and will be used by NTW, subject to Commission approval, to report intrastate revenue beginning January 1, 2023. See Attached Confidential Exhibit “A.” FUSF assessment purposes.

3. Based on the traffic study NTW, [REDACTED] % of NTW’s revenues are intrastate. Should this percentage change, NTW will notify the Commission as appropriate.

4. With this application, NTW also submits the affidavit of Jon Lightle, NTW’s President and CEO.

WHEREFORE, Nex-Tech Wireless, L.L.C. respectfully requests the Commission approve its company-specific traffic study and its use of the inverse of the federal percentage derived from that study for KUSF purposes.

Respectfully submitted,

JAMISON LAW, LLC

Colleen R. Jamison

Colleen R. Jamison, KS Bar #16121
PO Box 128
Tecumseh, KS 66542
PH: 785-331-8214
FAX: 833-233-4028
colleen.jamison@jamisonlaw.legal

VERIFICATION

Pursuant to K.S.A. 53-601, I hereby declare under penalty of perjury that the foregoing is true and correct. Executed on October 27, 2022.

Colleen R. Jamison

Colleen R. Jamison

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing document was emailed on this 27th day of October 2022, to the following reflected on the Commission's service list on this date as "last modified September 16, 2022":

CONNOR A THOMPSON, ATTORNEY
FOULSTON SIEFKIN LLP
7500 COLLEGE BOULEVARD, STE 1400
OVERLAND PARK, KS 66201-4041
cthompson@foulston.com

JAMES P ZAKOURA, ATTORNEY
FOULSTON SIEFKIN LLP
7500 COLLEGE BOULEVARD, STE 1400
OVERLAND PARK, KS 66201-4041
jzakoura@foulston.com

MARK DOTY
GLEASON & DOTY CHTD
401 S MAIN ST STE 10
PO BOX 490
OTTAWA, KS 66067-0490
DOTY.MARK@GMAIL.COM

THOMAS E. GLEASON, ATTORNEY
GLEASON & DOTY CHTD
PO BOX 6
LAWRENCE, KS 66044
gleason@sunflower.com

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
a.latif@kcc.ks.gov

MICHAEL NEELEY, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
m.neeley@kcc.ks.gov

BRUCE NEY, ATTORNEY FOR SOUTHWESTERN BELL KANSAS
SOUTHWESTERN BELL TELEPHONE CO. D/B/A AT&T KANSAS
208 S. AKARD ST
DALLAS, TX 75202
BRUCE.NEY@ATT.COM

JOHN IDOUX
UNITED TELEPHONE CO. OF KANSAS D/B/A BRIGHTSPEED
100 CENTURYLINK DRIVE

MONROE, LA 71203
john.idoux@brightspeed.com

PAMELA SHERWOOD
UNITED TELEPHONE CO. OF KANSAS D/B/A BRIGHTSPEED
100 CENTURYLINK DRIVE
MONROE, LA 71203
pamela.sherwood@brightspeed.com

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EXHIBIT A
REDACTED IN ITS ENTIRETY

**PUBLIC AFFIDAVIT OF
JON LIGHTLE**

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

In the Matter of an Investigation to)	
Determine the Affordable Local Service)	
Rates for Rate-of-Return Regulated Carriers)	
and the Annual Assessment Rate for the)	Docket No. 23-GIMT-261-GIT
Twenty-Seventh Year of the Kansas)	
Universal Service Fund, Effective March 1,)	
2023.)	

**PUBLIC AFFIDAVIT OF JON LIGHTLE
ON BEHALF OF NEX-TECH WIRELESS, L.L.C.**

I, Jon Lightle, being of lawful age and duly sworn state as follows:

1. I am employed by Nex-Tech Wireless, L.L.C. (“NTW”) as President and CEO.

In this capacity I am responsible for reporting and remittances for NTW to the Kansas Universal Service Fund (“KUSF”).

2. NTW has requested the Commission to permit it to use a company-specific traffic study for KUSF reporting and remitting purposes. NTW will be using this traffic study for determining interstate revenues subject to the federal universal service fund assessment. By this application, NTW has requested the Commission to be permitted to use the inverse of the interstate study percentage for intrastate, or KUSF, assessment purposes, thereby assuring that no revenues are double assessed.

3. NTW’s traffic study is based on actual call origination and termination minutes of use (“MOU”) data obtained from NTW’s call detail records, which NTW classifies as intrastate, interstate, or international. NTW derives the percentage of interstate/international MOU by

dividing the number of interstate and international MOU into total AMOU. This percentage is accepted by the FCC for FUSF reporting purposes.

4. NTW uses the inverse of the federal percentage derived from this traffic study to calculate the percentage for KUSF reporting purposes.

5. Beginning January 1, 2023, NTW will use the percentages derived from the traffic study to calculate interstate revenue subject to federal universal service fund assessment at [REDACTED]%. Therefore, and also beginning January 1, 2023, NTW will use the inverse of that percentage to calculate intrastate revenue subject to the Kansas Universal Service Fund Assessment at [REDACTED]%.

WHEREFORE AFFIANT SAYETH NAUGHT.

Pursuant to K.S.A. 53-601, I hereby declare under penalty of perjury that the foregoing is true and correct. Executed on October 26, 2022.


Jon Lightle, Nex-Tech Wireless, L.L.C.
President and CEO