

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

Before Commissioners: Dwight D. Keen, Chair
 Shari Feist Albrecht
 Susan K. Duffy

In the Matter of the Application of FairPoint)
Carrier Services, Inc. and its Successor)
Entity Consolidated Communications Enterprise) Docket No. 20-FPCC-050-CCS
Services, Inc. to Cancel Certificate of) (IXC)
FairPoint Carrier Services, Inc.)

ORDER CANCELLING CERTIFICATE

NOW, the above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas. The Commission, after giving due consideration to the Application and being fully advised in the premises, finds that:

1. FairPoint Carrier Services, Inc. (FairPoint) filed a Notice of Discontinuance on August 1, 2019, indicating its preference to voluntarily relinquish its authority to conduct business in the State of Kansas. FairPoint was granted a Certificate of Convenience and Authority to provide Interexchange Carrier services in Kansas on July 10, 2000, in Docket No. 00-FPCC-738-COC. FairPoint indicated it had no customers in Kansas.

2. The Commission's authority to supervise telecommunication public utilities is provided in K.S.A. 2018 Supp. 66-1,188. The Commission's authority to issue and terminate certificates of public convenience arises from K.S.A. 2018 Supp. 66-131. Pursuant to K.S.A. 2018 Supp. 66-131, the Commission must review all certificate applications to determine whether the public convenience will be promoted by granting the request.

3. On August 20, 2019, the Staff submitted a Report and Recommendation, urging the Commission to cancel FairPoint's Certificate of Convenience and Authority to provide

Interexchange Carrier service within Kansas and recommending the Commission approve the request to discontinue service. The Staff noted FairPoint has no customers, and has been merged out of existence. It has no outstanding assessments and maintains a current KUSF account.

4. The Commission adopts Staff's analysis and recommendation of August 20, 2019, as stated in its Report and Recommendation, which is attached and made a part of this Order by reference, and finds the public convenience will be promoted by granting the request to cancel FairPoint's Certificate of Convenience and Authority to provide Interexchange Carrier service in Kansas. No adverse customer impacts would be created by granting the authority to cancel service, as FairPoint has indicated it has no customers.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The FairPoint Carrier Services, Inc. request filed August 1, 2019, is hereby granted and the Certificate and Authority authorizing it to provide Interexchange Carrier service in Kansas, issued July 10, 2000, in Docket No. 00-FPCC-738-COC, is hereby canceled, effective as of the date of this Order.

B. 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

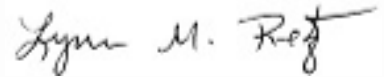
C. The Commission retains jurisdiction over FairPoint Carrier Services, Inc. and the subject matter of this Docket for the purpose of entering such further Order or Orders as it may deem necessary.

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

BY THE COMMISSION IT IS SO ORDERED.

Dated: 08/29/2019

Keen, Chair; Albrecht, Commissioner; Duffy, Commissioner.

A handwritten signature in cursive script, reading "Lynn M. Retz".

Lynn M. Retz
Executive Director

WAH

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Dwight D. Keen, Chair
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Laura Kelly, Governor

REPORT AND RECOMMENDATION UTILITIES DIVISION

TO: Chair Dwight D. Keen
Commissioner Shari Feist Albrecht
Commissioner Susan K. Duffy

FROM: Paula Artzer, Senior Telecommunications Analyst
Christine Aarnes, Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: August 20, 2019

SUBJECT: Docket No. 20-FPCC-050-CCS

In the Matter of the Application of FairPoint Carrier Services, Inc. and its Successor Entity Consolidated Communications Enterprise Services, Inc. to Cancel Certificate of FairPoint Carrier Services, Inc.

EXECUTIVE SUMMARY:

On August 01, 2019, FairPoint Carrier Services, Inc. filed a letter with the Commission requesting approval of the cancellation of their Certificate to provide Interexchange Carrier (IXC) services in Kansas. The letter indicated FairPoint Carrier Services, Inc. has no customers in Kansas as all services have been merged under the new name Consolidated Communications Enterprise Services, Inc. f/k/a Sunflower Telephone Company. Staff recommends the Commission grant this request to cancel FairPoint Carrier Services, Inc.'s Certificate.

BACKGROUND:

FairPoint Carrier Services, Inc. received a Certificate of Convenience to provide IXC services in Kansas in Docket No. 00-FPCC-738-COC, approved July 10, 2000. The Commission derives its authority to supervise telecommunications public utilities from K.S.A. 66-1,188. The Commission derives its authority to certificate and de-certificate public utilities from K.S.A. 66-131.

ANALYSIS:

Pursuant to K.S.A. 66-131, the Commission must review all certification and decertification applications to determine whether the “public convenience” will be promoted by granting the request.

FairPoint Carrier Services, Inc. is in a status of “Merged Out of Existence” with the Kansas Secretary of State, effective February 01, 2019. Staff identified two invoices that were outstanding to this Commission for the Company. The invoices were paid on August 19, 2019. The Company’s KUSF account and filings are current.

RECOMMENDATION:

Staff recommends the Commission cancel the Certificate of Convenience and Authority of FairPoint Carrier Services, Inc. to provide IXC services as requested. The customer indicates they have no IXC customers in Kansas. With the numerous options for customers to choose an alternative provider in Kansas and the fact the Company has merged the existing customer base into the new Company name, it is in the public interest to cancel the Certificate.

CERTIFICATE OF SERVICE

20-FPCC-050-CCS

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 08/29/2019.

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/S/ DeeAnn Shupe

DeeAnn Shupe