

Further, Consolidated Kansas requested to increase Voice Advantage II Bundles Calling Feature Rate from \$5.00 per month to \$10.00 per month. Voice Advantage II Bundles includes Caller ID, Call Waiting, Caller ID on Call Waiting, Three Way Calling, Anonymous Call Rejection, Unlimited Repeat Dialing and Call Return, Call Forwarding and Telemarketer Call Screening.

Lastly, Consolidated Kansas stated it sent a notice to customers of these changes on their May 16, 2024 billing cycle. Consolidated Kansas provided a copy of the Notice of Price Increase with the May 1, 2024 billing cycle to its customers.

2. K.S.A. 66-1,190 requires that telecommunications public utilities doing business in Kansas shall:

... publish and file with the commission copies of all schedules of rates, joint rates, tolls, charges, classifications, and divisions of rates affecting Kansas traffic, either state or interstate...and...the commission shall have power to prescribe reasonable rules and regulations regarding the form and filing of all schedules, tariffs and classifications of all rates, joint rates, tolls and charges and all rules and regulations of such telecommunications public utilities.

The Commission derives its authority to review Local Exchange Carrier tariffs from K.S.A. 66-117(d), which reads in part:

...(d) Except as provided in subsection (c), no change shall be made in any rate, toll, charge, classification or schedule of charges or joint rates, or in any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, without the consent of the commission.

3. The Commission maintains authority to require telecommunications public utilities to maintain rates that are not unjust or unreasonably discriminatory.¹ Accordingly, the Commission conducts its investigation regarding the reasonableness of Consolidated Kansas' request to modify its tariff language to raise certain residential voice feature rates.

¹ K.S.A. 66-1,189.

4. The Commission Staff (Staff) issued a Report and Recommendation dated May 23, 2024, recommending the Commission grant the tariff revisions proposed by Consolidated Kansas.

5. The Commission hereby adopts Staff's Report and Recommendation of May 23, 2024, which is attached hereto and made a part of the record.

6. The Commission agrees that Consolidated Kansas' request for an increase is just and reasonable under K.S.A. 66-117 and complies with K.S.A. 66-2007.

7. The Commission agrees that Consolidated Kansas' request should be granted. In conjunction with the request, the Commission finds that the effective date shall be July 1, 2024.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Consolidated Communications of Kansas Company's request to revise its General Exchange Tariff by increasing rates filed in this matter on May 1, 2024, is hereby granted with the effective tariff date occurring on July 1, 2024.

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).²

C. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order, or orders, as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 06/18/2024



Lynn M. Retz
Executive Director

BWB

² K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

TO: Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

FROM: Hemant Bhagat, Senior Telecommunications Analyst
Steve Garrett, Deputy Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: May 23, 2024

RE: Docket No. 24-SFLT-687-TAR
In the Matter of Consolidated Communications of Kansas Company Filing
Revisions to its General Exchange Tariff for Residential Voice Feature Increases.

EXECUTIVE SUMMARY:

On May 1, 2024, Consolidated Communications of Kansas Company (Consolidated Kansas) filed an Application requesting permission to raise certain residential voice feature rates by \$5.00 per month. In addition, the Company also requested permission to raise Voice Advantage II Bundles rate by \$5.00 per month. The filing included revision to its General Exchange Tariff relating to the above rate increase affecting Section 3 - First Revised Sheet 16, Section 4 - First Revised Sheets 8 and 14, and Section 6 - Fifth Revised Sheet 14.

Consolidated Kansas indicated sending a notice to customers of these changes on their May 1, 2024 billing cycle. Commission action on this matter is required no later than Thursday, May 31, 2024, in order to comply with K.S.A. 66-2007(b). Consolidated Kansas's proposed effective date is Friday, June 1, 2024.

Staff recommends approval of the Application.

BACKGROUND:

K.S.A. 66-117(c), in part, states:

The commission shall not delay the effective date of the proposed change in rate, joint rate, toll, charge or classification or schedule of charges, or in any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, more than 240 days beyond the date the public utility or common carrier filed its application requesting the proposed change. If the commission does not suspend the proposed schedule

within 30 days of the date the same is filed by the public utility or common carrier, such proposed schedule shall be deemed approved by the commission and shall take effect on the proposed effective date.

K.S.A. 66-2007(b) states:

The commission shall approve, upon not more than 120 days' notice, any basic local exchange price increases that in the aggregate in any one year are \$1.50 or less per access line per month, that are proposed by any rural telephone company which is subject to traditional rate of return regulation and that comply with the requirements of this section. Any such proposed price increases shall be presumed reasonable and not subject to commission investigation and review if the rural telephone company has followed the notice requirements set forth below. However, the commission shall initiate an investigation if more than 15% of the subscribers subject to the rate increase request such an investigation within 60 days of the date of distribution of the notice of the proposed change.

Upon filing such an application for a rate increase, any rural telephone company seeking expedited approval of the proposed rate under this section shall send a notice to its subscribers by regular mail, which may be included with regular subscriber mailings. Such mailings shall include the name, mailing address and telephone number of the commission. The notice shall include a schedule of the proposed local exchange rates, the effective date of the rates and a description of the procedures by which the subscribers can petition the commission to determine the reasonableness of the proposed rates, including a provision specifically stating that protest by 15% or more of subscribers subject to the proposed rate increase would require the commission to initiate an investigation concerning the reasonableness of the proposed rate increase.

Consolidated Kansas provided a copy of the Notice of Price Increase with the May 2024 billing to its customers.¹ The Customer Notice also included the phone number for their customer service staff.

ANALYSIS:

Consolidated Kansas requests approval to increase the following residential voice feature rates:

- Non-Published Directory Listing rate will increase by \$5.00 per month for the Leoti, Tribune, Marienthal, Jetmore, Sharon Springs, Wallace and Weskan exchanges, with the rate increasing from \$1.00 to \$6.00.
- Non-Published Directory Listing rate will increase by \$5.00 per month for the Americus, Cedar Point and Staffordville exchanges, resulting in the \$2.40 rate increasing to \$7.40.
- Call Waiting for Custom Calling service rate will increase by \$5.00 from \$1.00 per month to \$6.00 per month.

¹ Application, Customer Notice, Pg. 1, May 1, 2024

- Caller ID, Caller ID on Call Waiting, and Telemarketer Call Screening in the CLASS Advanced Calling Services will increase by \$5.00 per month to \$12.50, \$13.50, and \$8.25 per month respectively.
- Voice Advantage II Bundles will increase by \$5.00 per month from \$5.00 to \$10.00 per month. Voice Advantage II Bundle includes Caller ID, Call Waiting, Caller ID on Call Waiting, Three Way Calling, Anonymous Call Rejection, Unlimited Repeat Dialing and Call Return, Call Forwarding, and Telemarketer Call Screening. The Company indicated that not all features might be available in all areas.

Staff evaluated Consolidated Kansas's Customer Notice and finds it is appropriate and in compliance with K.S.A. 66-2007.

RECOMMENDATION:

The evaluation of Consolidated Kansas's Application and Customer Notice, Staff has determined that they are in compliance with K.S.A. 66-2007(b). Therefore, Staff recommends that the Commission approve Consolidated Kansas's filing as stated in the Company's Application, increasing certain residential voice feature rates by \$5.00 per month and increasing Voice Advantage II Bundles rates by \$5.00 per month.

Staff further recommends the Commission accept the revised tariff with an effective date of July 1, 2024.

CERTIFICATE OF SERVICE

24-SFLT-687-TAR

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 06/18/2024.

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/S/ KCC Docket Room

KCC Docket Room