

**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
VANTAGE POINT SOLUTIONS' MEMORANDUM**

The Staff of the Kansas Corporation Commission (Staff and Commission, respectively) hereby submits the attached Kansas Universal Service Fund (KUSF) Memorandum (Memo) prepared by Vantage Point Solutions (VPS), the current KUSF Administrator, dated November 17, 2023. In the KUSF Memo, VPS explains that as a result of two additional payments received on September 15, 2023 and October 17, 2023, Tru Mobility, Inc.'s outstanding balance is now zero. Further, VPS recommends closing Docket No. 21-TMIV-449-SHO as Tru Mobility, Inc. has paid its KUSF balance in full and is now current with its KUSF obligations.

WHEREFORE, the attached KUSF Memo is hereby filed to allow the Commission's fiscal department to make adjustments to the amount of collectibles Tru Mobility owes to the KUSF.

Respectfully Submitted,

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KUSF MEMO

Date: November 17, 2023

To: Steve Garrett, Deputy Chief of Telecommunications

From: Nicole Stephens, KUSF Compliance Manager

RE: Docket No. 21-TMIV-449-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 an update to Vantage Point Solution's (VPS) previous Memo dated October 13, 2023, regarding Tru Mobility, Inc.'s (Tru), KUSF Account No. KS006449.

On April 8, 2022, Staff filed a 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, or 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.

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 request to remit monthly payments and waive or reduce its KUSF penalties was denied; and 3) directed Tru to pay \$4,274.37 of KUSF assessment contributions and \$13,495.66 of penalties to the KUSF within 45 days of issuance of the Order. 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.

On August 26, 2022, Tru remitted a payment of \$1,000 to the KUSF, reducing its outstanding balance to \$15,270.03.

On March 31, 2023, Tru remitted a payment of \$1,270.03 to the KUSF, thus reducing its outstanding KUSF balance to \$14,000.00.

On April 21, 2023, Tru submitted its March 2022 – February 2023 Annual True-up, resulting in a credit balance credited to its KUSF account in the amount of \$126.72. On April 27, 2023, Tru remitted a payment of \$2,000.00 to the KUSF. The Annual True-up credit and April payment reduced Tru's outstanding KUSF balance to \$11,873.28.

On June 6, 2023, Tru remitted a payment of \$2,000.00 to the KUSF, reducing its outstanding KUSF balance to \$9,873.28.

On June 26, 2023, Tru remitted a payment of \$2,000.00 to the KUSF, reducing its outstanding KUSF balance to \$7,873.28.

On July 17, 2023, Tru remitted a payment of \$2,000.00 to the KUSF, and on August 11, 2023, Tru remitted an additional payment of \$2,000.00 to the KUSF, further reducing its outstanding KUSF balance to \$3,873.28.

On September 15, 2023, Tru remitted a payment of \$2,000.00 to the KUSF, reducing its outstanding balance to \$1,873.28.

On October 17, 2023, Tru remitted its final payment of \$1,873.28, reducing its outstanding balance to zero. Vantage Point Solutions, as KUSF Administrator, recommends closing Docket No. 21-TMIV-449-SHO as Tru Mobility, Inc. has paid its KUSF balance in full and is now current with its KUSF obligations.

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 Vantage Point Memo was served via electronic service this 21st day of November, 2023, to the following:

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/s/ Ann Murphy

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