

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Mark Sievers, Chairman
Thomas E. Wright, Commissioner
Shari Feist Albrecht, Commissioner

In the Matter of the Application of Cunningham Telephone) Docket No.
Company for Modification of Certain Exchange Boundaries) 14-CNHT-015-CXB

ORDER

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

1. The application in the instant docket was filed with this Commission on July 1, 2013. A public hearing was not held on the instant application.
2. Cunningham Telephone Company (Cunningham) is requesting a Commission order modifying the current serving area boundaries for their Cawker City and Glen Elder exchanges.
3. In support of their application, Cunningham states that several years ago the United States Army Corp of Engineers established the Glen Elder reservoir in a portion of their Cawker City exchange area. This body of water rendered it impractical and unnecessarily costly to provide local service from the Cawker City exchange. Therefore, service is being provided from their Glen Elder central office.
4. The boundary modifications requested for the Cawker City and Glen Elder exchanges have no impact on the local calling or local service rates and will be consistent with the exchange definitions provided the Federal Communication Commission.

5. The transfer of the following exchange area from Cawker City to the Glen Elder

Exchange is reasonable and in the public interest;

Beginning at a point 1/4 mile south of the northeast corner of Section 12, T7S, R10W, Mitchell County, Kansas; thence south 2 1/4 miles; thence west 1 1/2 miles; thence south 1 mile; thence west 4 miles; thence north 3 miles; thence west 5/8 mile; thence north 1/4 mile; thence east 6 1/8 miles to the point of beginning.

6. With the granting of the instant application, the total area certificated as

Cunningham's Cawker City Exchange will be as follows:

CAWKER CITY, KANSAS EXCHANGE AREA

Beginning at a point 1/2 mile south and 1/4 mile east of the northwest corner of Section 29, T4S, R10W, Jewell County, Kansas; thence east 2 1/2 miles; thence south 2 1/8 miles; thence east 1 1/8 miles; thence south 7/8 mile; thence west 3/8 mile; thence south 2 miles; thence east approximately 3 miles to a point 1/2 mile south of the northeast corner of Section 19, T5S, R9W; thence south 2 1/2 miles; thence to a point 1/4 mile west of the northeast corner of Section 6, T6S, R9W, Mitchell County, Kansas; thence south 1 1/2 miles; thence west 3/4 mile; thence south 5 3/4 miles; thence west 6 1/8 miles; thence north 7 1/4 miles to a point 1/8 mile west of the northeast corner of Section 1, T6S, R11W, Osborne County, Kansas; thence east to a point 1/8 mile west of the southeast corner of Section 31, T5S, R10W, Jewell County, Kansas; thence north 1 1/2 miles; thence east 5/8 mile; thence north 4 3/4 miles; thence west 1/4 mile; thence north 1 1/4 miles to the point of beginning.

7. With the granting of the instant application, the total area certificated as

Cunningham's Glen Elder Exchange will be as follows:

GLEN ELDER, KANSAS EXCHANGE AREA

Beginning at the center of the west side of Section 16, T5S, R9W, Jewell County, Kansas; thence east 3 1/2 miles; thence south 2 miles; thence east 2 1/2 miles; thence south 1 mile; thence east approximately 1/2 mile to a point 1/2 mile north and 1/4 mile east of the northwest corner of Section 4, T6S, R8W; thence south 3 miles; thence west 1/4 mile; thence south 1/2 mile; thence west 1/8 mile; thence south 3 1/2 miles; thence west 7/8 mile; thence south 3 miles; thence west 1 1/4 miles; thence south 1 mile; thence east 3/4 mile; thence south 4 miles; thence west 1 1/4 miles; thence south 3/4 mile; thence west 3/8 mile; thence south 1 1/4 miles; thence west 3 3/8 miles; thence north 3 miles; thence west 2 miles; thence north 2 miles; thence west 1 mile; thence north 1 mile; thence west 4 miles; thence north 3 miles; thence west 5/8 mile;

thence north 1/4 mile; thence east 6 1/8 miles; thence north 5 3/4 miles; thence east 3/4 mile; thence north 1 1/2 miles to a point 1/4 mile west of the northeast corner of Section 6, T6S, R9W, Mitchell County, Kansas; thence to the southwest corner of Section 32, T5S, R9W, Jewell County, Kansas; thence north 2 1/2 miles; thence east 1 mile; thence north 1 mile to the point of beginning.

8. Public convenience will be promoted by granting the instant application.

IT IS, THEREFORE, BY THE COMMISSION ORDERED:

That the application in the instant docket be, and it hereby is, granted and Cunningham Telephone Company be, and it hereby is, permitted to serve in the areas described in Finding No. 6 and 7 above.


A party may file a petition for reconsideration of this order within 15 days of service. If the order is mailed service is made upon mailing and three (3) days are added to the above time period.

The Commission retains jurisdiction of 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 ORDERED

Dated: **AUG 08 2013**

Sievers, Chair; Wright, Com; Feist Albright, Com;


ORDER MAILED AUG 09 2013
Kim Christiansen
EXECUTIVE DIRECTOR

SEAL

TCB

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Mark Sievers, Chairman
Thomas E. Wright, Commissioner
Shari Feist Albrecht, Commissioner

Sam Brownback, Governor

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

TO: Chairman Mark Sievers
Commissioner Thomas E. Wright
Commissioner Shari Feist Albrecht

FROM: Tom Behner, Telecommunications Analyst
Christine Aarnes, Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: July 30, 2013

DATE SUBMITTED TO LEGAL: 7/31/13

DATE SUBMITTED TO COMMISSIONERS: 8-05-13

SUBJECT: 14-CNHT-015-CXB:
In the Matter of the Application of Cunningham Telephone Company for
Modification of Certain Exchange Boundaries

EXECUTIVE SUMMARY:

Cunningham Telephone Company filed an Application for modification of their Cawker City and Glen Elder exchanges. Staff is recommending the approval of the requested modifications.

BACKGROUND:

Cunningham Telephone Company (Cunningham) filed this Application on July 1, 2013, to modify their currently approved Cawker City and Glen Elder exchange boundaries. These modifications will reflect the actual provisioning of local service to their customers.

ANALYSIS:

In support of their Application, Cunningham states that several years ago, the United States Army Corps of Engineers established the Glen Elder reservoir in a portion of the Cawker City exchange. The impact on the existing bodies of water rendered it impractical and unnecessarily costly to provide local service out of their Cawker City central office. Therefore, service is being provided out of their Glen Elder central office with no impact on quality of service or rates. The requested exchange modifications will reflect the actual provisioning of service and be consistent

with the information provided to the Federal Communication Commission and their exchange boundary definitions.

RECOMMENDATION:

Staff recommends the Commission approve the requested exchange boundary modifications.

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
J. MARK DOTY GLEASON & DOTY CHTD 427 S MAIN STREET P.O. BOX 490 OTTAWA, KS 66067-0490		
MICHAEL NEELEY, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		

ORDER MAILED AUG 09 2013

The Docket Room hereby certified that on this _____ day of _____, 20____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.