

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

Before Commissioners: Dwight D. Keen, Chair
 Shari Feist Albrecht
 Jay Scott Emler

In the Matter of the Application of Nex-Tech,)
LLC for an Order Confirming Relinquishment)
of its Eligible Telecommunications Carrier)
Designation and Notice Pursuant to K.S.A.) Docket No. 19-NTHT-244-ETC
2015 Supp. 66-2005(d) of Intent to Cease)
Participation in the Kansas Lifeline Services)
Program.)

**ORDER ON NEX-TECH, LLC'S ETC RELINQUISHMENT AND KLSP NON-
PARTICIPATION APPLICATION**

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Commission finds the following:

BACKGROUND:

1. On December 19, 2018, Nex-Tech, LLC (Nex-Tech) filed an Application requesting a Commission order “confirming (i) relinquishment of its Eligible Telecommunications Carrier (ETC) designation for all of its local exchange service areas in Kansas specified [in the Application], effective May 31, 2019; and (ii) its notice of intent to cease participation in the Kansas Lifeline Services Program (KLSP), effective May 31, 2019.”¹ Nex-Tech noted that it was granted ETC status in the Southwestern Bell Telephone Company d/b/a AT&T Kansas (AT&T) exchanges in Commission Docket Nos. 05-NTHT-140-ETC (05-140 Docket) and 06-NTHT-1022-ETC (06-1022 Docket).² Nex-Tech was also granted ETC status in the Sprint/United (CenturyLink) exchanges in Docket No. 04-NTHT-498-ETC.³ Nex-Tech further stated that its Application provided the required

¹ Application for Nex-Tech, LLC, p. 1 (Dec. 19, 2018) (Application).

² Application, ¶ 1.

³ Application, ¶ 1.

notification of its intent to cease participation in the KLSP, effective May 31, 2019.⁴ Nex-Tech subsequently filed an Errata to its Application, noting that the Downs, Luray, Paradise, and Russell exchanges are no longer part of Sprint/United companies' service area in Kansas.⁵

2. On March 14, 2019, Commission Telecommunications Staff (Staff) filed a Notice of Filing of Staff Report and Recommendation (R&R). Staff's R&R provided a history of ETCs, an explanation of specific ETC types, and changes in the federal high-cost programs.⁶ In its analysis section, Staff noted Nex-Tech's ability to cease participation in the KLSP at any time upon provision of 90-days prior written notice to the Commission.⁷ Staff discussed Nex-Tech's intention to provide two notices to affected customers informing them that Nex-Tech will no longer offer a Lifeline or KLSP discount and that customers may continue to obtain the Lifeline or KLSP discount from remaining ETCs in the area.⁸ Staff further stated that Nex-Tech has fulfilled the notice requirements under K.S.A. 66-2006(d) for ending its participation in the KLSP, and therefore, recommended the Commission confirm Nex-Tech's intent to cease participation in the KLSP, effective May 31, 2019.⁹

3. Regarding ETC relinquishment, Staff summarized the various dockets in which Nex-Tech obtained ETC status, including the 06-1022 Docket which granted Nex-Tech ETC authority in the Abilene exchange in particular.¹⁰ Staff stated that "Nex-Tech requests ETC relinquishment for its ETC service areas as specified in Exhibits A and B [of its Application]."¹¹ Staff noted Nex-Tech's obligation to provide universal service throughout its designated service area in response to all reasonable requests for service.¹² Staff also noted Nex-Tech's ineligibility for Kansas Universal

⁴ Application, ¶ 11.

⁵ Errata to Application, p. 1 (Jan. 16, 2019).

⁶ See R&R, pp. 2-5.

⁷ R&R, p. 5.

⁸ R&R, pp. 5-6.

⁹ R&R, p. 6.

¹⁰ R&R, p. 6.

¹¹ R&R, p. 7.

¹² R&R, p. 7.

Service Fund (KUSF) high-cost support but its eligibility for 60% of its 2011 Federal Universal Service Fund (FUSF) high-cost support.¹³ After reviewing federal law on ETC relinquishment, Staff focused its review on the 16 AT&T exchanges where Nex-Tech was granted ETC status in the 05-140 and 06-1022 Dockets.¹⁴

4. Staff determined that at least one other “high-cost ETC” is providing service in the 16 AT&T exchanges, but AT&T is the only other such ETC in the Abilene exchange.¹⁵ According to Staff, AT&T sought relinquishment of its ETC status in the aforementioned 16 exchanges, including the Abilene exchange, in October 2016 in Docket No. 17-SWBT-158-MIS (17-158 Docket).¹⁶ At the time of Staff’s R&R, AT&T’s relinquishment request was still pending.¹⁷ Staff stated that overall in the 16 exchanges, “the high-cost CETC’s [Competitive Eligible Telecommunications Carriers] indicated that they are able to provide universal service to all reasonable requests for service, consistent with their CETC obligations.”¹⁸ Staff also explained AT&T’s continuing service obligations, leading Staff to believe that “the only occasion in which a high-cost ETC could be required to build out new facilities to a customer would be for a ‘reasonable request for service’ for which AT&T does not currently have facilities (i.e., new construction).”¹⁹

5. Based on the above, Staff recommended that the Commission grant Nex-Tech’s ETC relinquishment request in the Atwood, Bird City, Great Bend, Hays, Hoxie, McDonald, McPherson, Norton, Oberlin, Phillipsburg-Kirwin, Plainville, Salina, Smith Center, St. Francis, and Stockton exchanges.²⁰ Staff recommended the Commission deny Nex-Tech’s ETC relinquishment request in the Abilene exchange if the Commission grants AT&T’s relinquishment request in that same

¹³ R&R, p. 7.

¹⁴ R&R, p. 8.

¹⁵ R&R, p. 8.

¹⁶ R&R, p. 8.

¹⁷ R&R, p. 8.

¹⁸ R&R, p. 9.

¹⁹ R&R, p. 9.

²⁰ R&R, p. 9.

exchange in the 17-158 Docket.²¹ However, should the Commission deny AT&T's ETC relinquishment request in the Abilene exchange, Staff recommended the Commission approve Nex-Tech's relinquishment request in that exchange.²² Staff also recommended the Commission require the remaining ETCs to ensure that all customers served by Nex-Tech will continue to be served in the wire centers/exchanges where the Commission grants relinquishment.²³ Finally, Staff recommended the Commission serve its relinquishment Order in the instant docket on all CETCs in the exchanges approved for relinquishment so they understand their ongoing obligations.²⁴

6. On March 14, 2019, in the 17-158 Docket, the Commission issued its *Order on AT&T's Request to Relinquish its Eligible Telecommunications Carrier (ETC) Designation* (Relinquishment Order). The Relinquishment Order allowed AT&T to relinquish its ETC designation in all of the census blocks it requested (including the census blocks in the Abilene exchange) except for the 1,248 census blocks identified in Staff's January 4, 2019 filing of Updated Exhibits 1 and 2.²⁵

7. On March 25, 2019, Nex-Tech responded to Staff's R&R in the instant docket, agreeing with Staff's recommendations that the Commission confirm Nex-Tech's notice of intent to cease participation in the KLSP, grant Nex-Tech's ETC relinquishment request in all the requested exchanges except for the Abilene exchange, and ensure consumers continue to be served in the relinquished exchanges in accordance with 47 U.S.C. § 214(e)(4).²⁶ Nex-Tech also asserted its intent to relinquish its ETC designation in the Almena exchange, which it had inadvertently omitted from its Application.²⁷ However, Nex-Tech disagreed with Staff's recommended denial of relinquishment

²¹ R&R, p. 9.

²² R&R, p. 9.

²³ R&R, p. 9.

²⁴ R&R, p. 9.

²⁵ 17-158 Docket, *Order on AT&T's Request to Relinquish its Eligible Telecommunications Carrier (ETC) Designation*, Ordering Clause A (Mar. 14, 2019); 17-158 Docket, Updated Staff Exhibits 1 and 2, Staff Updated Exhibit 2 (Jan. 4, 2019).

²⁶ Nex-Tech, LLC's Response to Staff's Report and Recommendation, ¶¶ 4-5, 8 (Mar. 25, 2019) (Nex-Tech Response).

²⁷ Nex-Tech Response, ¶ 7 (Nex-Tech was granted ETC status in the Almena exchange in Docket No. 03-NTHT-1051-ETC).

in the Abilene exchange, arguing that Nex-Tech's relinquishment in the Abilene exchange is in the public interest.²⁸ In support of its argument for ETC relinquishment in the Abilene exchange, Nex-Tech incorporated its March 25, 2019 Petition to Intervene and For Limited Reconsideration of the Commission's March 14, 2019 Order in the 17-158 Docket.²⁹ Nex-Tech asked the Commission to "grant its Application for ETC relinquishment in full, including the Abilene exchange."³⁰

8. On March 29, 2019, Staff replied to Nex-Tech's Response, stating that "[a]mong the exchanges where relinquishment was granted [to AT&T in the 17-158 Docket] was the Abilene exchange, giving rise to the Staff recommendation not to grant Nex-Tech relinquishment because after granting AT&T ETC relinquishment, Nex-Tech would be the only remaining high-cost ETC in the Abilene exchange to continue to provide service."³¹ Staff proposed that the Commission take administrative notice of its files and records and postpone any decision on the Abilene exchange until the conclusion of the 17-158 Docket.³² Staff also noted Nex-Tech's inadvertent omission of the Almena exchange from its Application, asserting that Nex-Tech will seek relinquishment in that exchange under a separate relinquishment application.³³

FINDINGS AND CONCLUSIONS:

I. Nex-Tech's Confirmation That It Will Cease Participation in the KLSP

9. The Commission has jurisdiction to administer the KLSP pursuant to K.S.A. 66-2002(f) and K.S.A. 66-2006. The Commission has specific jurisdiction over Nex-Tech's request to cease participation in the KLSP pursuant to K.S.A. 66-2006(d). Nex-Tech is considered a "telecommunications carrier" as such entity is referenced under K.S.A. 66-2006(d).³⁴

²⁸ Nex-Tech Response, ¶ 6.

²⁹ See Nex-Tech Response, ¶ 6 and Attachment 1 (17-158 Docket, Nex-Tech, LLC Petition to Intervene and For Limited Reconsideration of March 14, 2019 Order).

³⁰ Nex-Tech Response, ¶ 9.

³¹ Staff Reply to Nex-Tech, LLC's Response to Staff's Report and Recommendation, ¶ 3 (Mar. 29, 2019) (Staff Reply).

³² Staff Reply, ¶ 5.

³³ Staff Reply, ¶ 2.

³⁴ See R&R, p. 5.

10. In order for the Commission to approve Nex-Tech's request to cease participation in the KLSP, the Commission need only find that Nex-Tech has provided 90-days written notice to the Commission.³⁵

11. Having reviewed Nex-Tech's Application and Staff's R&R, the Commission finds that under K.S.A. 77-537(a)(3), a good faith basis exists to believe that Nex-Tech has provided sufficient notice to the Commission of its intent to cease participation in the KLSP. Therefore, in accordance with K.S.A. 66-2006(d), the Commission finds that Nex-Tech may cease participation in the KLSP, effective May 31, 2019.

II. Nex-Tech's ETC Relinquishment Request

12. 47 U.S.C. § 214(e)(4) is the starting point for considering ETC relinquishment requests. The statute provides:

A State commission . . . shall permit an eligible telecommunications carrier [i.e., ETC] to relinquish its designation as such a carrier in any area served by more than one [ETC].

An [ETC] that seeks to relinquish its [ETC] designation for an area served by more than one [ETC] shall give advance notice to the State commission . . . of such relinquishment.

Prior to permitting a telecommunications carrier designated as an [ETC] to cease providing universal service in an area served by more than one [ETC], the State commission . . . shall require the remaining [ETC] or [ETCs] to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining [ETC].

The State commission . . . shall establish a time, not to exceed one year after the State commission . . . approves such relinquishment under this paragraph, within which such purchase or construction shall be completed.³⁶

³⁵See K.S.A. 66-2006(d).

³⁶See 47 C.F.R. 54.205(a)-(b).

13. In accordance with section 214(e)(4) above, the Commission must determine whether at least one other full ETC is serving in the areas where Nex-Tech is seeking ETC relinquishment. The Commission must also require the remaining ETCs to ensure that all customers served by Nex-Tech will continue to be served. As noted above, Staff reported “at least one high-cost ETC [i.e., full ETC] (in addition to Nex-Tech) [exists] in all of the 16 requested exchanges . . . The only requested exchange for which there is not more than one additional high-cost ETC is the Abilene exchange.”³⁷ Staff also reported that the full ETCs serving the 16 requested exchanges have indicated their ability to provide universal service to all reasonable requests for service.³⁸

14. Based on Staff’s conclusions in its R&R, the Commission finds the requirements of section 214(e)(4) have been met regarding Nex-Tech’s ETC relinquishment request in the Atwood, Bird City, Great Bend, Hays, Hoxie, McDonald, McPherson, Norton, Oberlin, Phillipsburg-Kirwin, Plainville, Salina, Smith Center, St. Francis, and Stockton exchanges. Thus, the Commission finds that Nex-Tech’s request to relinquish its ETC designation in those exchanges should be granted. The Commission also finds that the remaining ETCs in the above exchanges must ensure that all customers served by Nex-Tech will continue to be served.

15. Regarding Nex-Tech’s ETC designation in the Almena exchange,³⁹ Nex-Tech conceded the inadvertent omission of this exchange from its original Application, accepted full responsibility for the error, and stated it would address the omission in Docket No. 03-NTHT-1051-ETC.⁴⁰ Thus, the Commission takes no action on Nex-Tech’s ETC designation in the Almena exchange, and Nex-Tech shall retain its designation in that exchange.

³⁷ R&R, p. 8.

³⁸ R&R, pp. 8-9.

³⁹ See Nex-Tech Response, ¶ 7.

⁴⁰ *Id.* (Nex-Tech erroneously listed the Almena exchange docket as Docket No. 02-NTHT-1051-ETC. The correct docket number is reflected in the text of the Order above).

16. Regarding Nex-Tech's request for relinquishment of its ETC designation in the Abilene exchange, Staff initially recommended the Commission deny Nex-Tech's request should the Commission grant AT&T relinquishment of its ETC status in the Abilene exchange in the 17-158 Docket.⁴¹ Staff's recommendation was based on the fact that AT&T's relinquishment in the Abilene exchange would render Nex-Tech the only remaining "high-cost" or full ETC in the Abilene exchange.⁴² As stated above, in the 17-158 Docket, the Commission did indeed grant AT&T relinquishment of its ETC designation in the Abilene exchange.⁴³ In response, Nex-Tech filed a Petition for Limited Reconsideration in the 17-158 Docket (attached to its Response to Staff's R&R in the instant docket), arguing in support of its own relinquishment request in the Abilene exchange.⁴⁴ In its *Order on Nex-Tech, LLC's Petition to Intervene and on Petitions for Reconsideration from Nex-Tech and AT&T* in the 17-158 Docket, issued the same day as this Order, the Commission denied Nex-Tech intervention in the 17-158 Docket and disregarded Nex-Tech's Petition for Limited Reconsideration as invalid.⁴⁵

17. Although Nex-Tech attached its Petition for Limited Reconsideration in the 17-158 Docket to its Response to Staff's R&R in the instant docket, the Commission will only address Nex-Tech's Petition where it is relevant to Nex-Tech's relinquishment request.

18. Nex-Tech essentially argued that AT&T should be required to retain its ETC designation in the Abilene exchange rather than Nex-Tech because allegedly AT&T can more easily and efficiently serve the Abilene exchange.⁴⁶ Nex-Tech pleaded that it accepted ETC status in the Abilene exchange in reliance on AT&T's status as a carrier of last resort, a status AT&T no longer

⁴¹ R&R, p. 9.

⁴² See Staff's Reply, ¶ 3.

⁴³ See ¶ 6 of this Order, *supra*.

⁴⁴ See Nex-Tech Response, Attachment 1.

⁴⁵ See 17-158 Docket, *Order on Nex-Tech, LLC's Petition to Intervene and on Petitions for Reconsideration from Nex-Tech and AT&T*, Ordering Clauses A and B (Apr. 23, 2019).

⁴⁶ See Nex-Tech Response, Attachment 1 – Docket No. 17-SWBT-158-MIS, Nex-Tech, LLC Petition to Intervene and for Limited Reconsideration of March 14, 2019 Order (Nex-Tech 17-158 Docket PFR), ¶¶ 4-22.

holds.⁴⁷ Nex-Tech claimed that “AT&T’s ETC relinquishment in the Abilene exchange renders Nex-Tech unable to meet the obligations of an ETC in the exchange.”⁴⁸ Nex-Tech alleged that its inability to serve is based on its lack of facilities and capability and lack of access to federal and state support for further potential build-out of facilities.⁴⁹ According to Nex-Tech, the public interest will be served by requiring AT&T, rather than Nex-Tech, to keep its ETC status in the Abilene exchange because AT&T has existing facilities there.⁵⁰ Nex-Tech also argued that AT&T’s filing of its relinquishment request prior to Nex-Tech should be given no weight.⁵¹ Ultimately, Nex-Tech charged that based on the evidence in the 17-158 Docket, the Commission must deny AT&T relinquishment in the Abilene exchange and grant relinquishment to Nex-Tech because “[t]o find otherwise . . . would result in an unlawful, unreasonable, arbitrary, or capricious action by the Commission.”⁵²

19. The Commission finds Nex-Tech’s position to be without merit. Nex-Tech had notice of the Abilene exchange’s implication in the 17-158 Docket since March 2017.⁵³ Thus, Nex-Tech had almost two years prior to the Commission’s Relinquishment Order to intervene in that Docket. Having failed to do so, the Commission finds no basis for Nex-Tech’s collateral attack on the Commission’s decision to grant AT&T its ETC relinquishment in the Abilene exchange.

20. The Commission rejects as irrelevant Nex-Tech’s arguments that it is incapable, or less capable, than AT&T of meeting its ETC service obligations in the Abilene exchange.⁵⁴ In its ETC Application in the 06-1022 Docket, Nex-Tech asserted it was able to provide customers throughout the Abilene exchange “the services and functionalities that are to be supported by the Federal

⁴⁷ Nex-Tech 17-158 Docket PFR, ¶ 10.

⁴⁸ Nex-Tech 17-158 Docket PFR, ¶ 11.

⁴⁹ Nex-Tech 17-158 Docket PFR, ¶¶ 12, 17.

⁵⁰ Nex-Tech 17-158 Docket PFR, ¶¶ 16, 18.

⁵¹ Nex-Tech 17-158 Docket PFR, ¶ 21.

⁵² Nex-Tech 17-158 Docket PFR, ¶ 22.

⁵³ See 19-244 Docket, Nex-Tech, LLC’s Response to Staff’s Report and Recommendation, Exhibit A, Information Request No. 12, dated March 31, 2017, (Mar. 25, 2019).

⁵⁴ See Nex-Tech 17-158 Docket PFR, ¶ 11-12, 17.

universal service support mechanisms, as identified in 47 C.F.R. § 54.101(a).”⁵⁵ Regarding Nex-Tech’s ability to provide the supported services throughout the designated service areas within a reasonable timeframe, the Commission found that “Nex-Tech will provide services in the Abilene . . . Exchange . . . via fiber/copper facilities, coaxial cable, resale and/or UNE [Unbundled Network Elements].”⁵⁶ Thus, as Staff correctly stated in the 17-158 Docket:

Nex-Tech still has an ETC obligation to serve due to its designation as an ETC in Abilene. Nex-Tech should have known it might be required to build out in Abilene when it agreed to serve the entire exchange in its ETC application in 2006, considering it is a requirement that the ETC provide the supported services either using its own facilities or a combination of its own facilities and resale of another carrier’s services ‘throughout’ their requested service area.⁵⁷

21. In other words, Nex-Tech’s ETC status in the Abilene exchange means Nex-Tech is obligated to provide universal service to the *entire* Abilene exchange, regardless of what any other ETC in that exchange might do.⁵⁸ The obligations Nex-Tech applied for and agreed to back in 2006 are not contingent upon or nullified by AT&T’s relinquishment in the Abilene exchange. Nor does a current lack of facilities relieve Nex-Tech of its legal obligations under 47 U.S.C. § 214(e)(1) because section (e)(4) makes provision for a remaining ETC’s possible need to purchase or construct facilities. Nex-Tech cannot escape its ETC obligations to offer universal service “either using its own facilities or a combination of its own facilities and resale of another carrier’s services” by claiming it cannot meet those obligations. The Commission finds that Nex-Tech legally obligated itself to meet its ETC obligations in the 06-1022 Docket,⁵⁹ and those obligations remain incumbent upon it today.

⁵⁵ 06-1022 Docket, Application of Nex-Tech, Inc. for Designation as an Eligible Telecommunications Carrier in the Abilene, Atwood, Bird City, Great Bend, Hays, Hoxie, McDonald, McPherson, Oakley, Oberlin, Phillipsburg, Plainville, Salina, Smith Center, St. Francis, Stockton, Kansas Exchange Areas, pp. 3, 6, 12 (Mar. 17, 2006) (06-1022 ETC Application) (stating that “Nex-Tech does, and will continue to, advertise the availability of services supported by the Federal universal service mechanisms *throughout the Abilene . . . Exchange*” (emphasis added)).

⁵⁶ 06-1022 Docket, *Order*, ¶ 15 (June 16, 2006).

⁵⁷ 17-158 Docket, Staff’s Response to Nex-Tech’s Limited PFR and Request for Clarification, ¶¶ 6-7 (Apr. 3, 2019).

⁵⁸ *See id.*

⁵⁹ 06-1022 ETC Application, pp. 2-13; 06-1022 Docket, *Order*, Ordering Clause A.

22. The Commission also rejects Nex-Tech's claim that the Commission will be acting in an unlawful, unreasonable, arbitrary, or capricious manner unless it overturns its approval of AT&T's relinquishment in the Abilene exchange and allows Nex-Tech to relinquish in the exchange instead. 47 U.S.C. § 214(e)(4) does not require the Commission to engage in some kind of "public interest" balancing test when considering ETC relinquishment, as Nex-Tech alleged.⁶⁰ In the 17-158 Docket, to which Nex-Tech is not a party, the Commission properly applied the facts in the record to section 214(e)(4)'s provisions and found that AT&T meets the test for relinquishment in the Abilene exchange. Moreover, Nex-Tech has provided no evidence or legal basis showing that the Commission granted AT&T relinquishment in the Abilene exchange apart from reasoned judgment or based on some change without regard to any laws, which is the definition of arbitrary and capricious.⁶¹ Thus, Nex-Tech's claim of arbitrary or capricious action by the Commission is baseless.

23. The Commission finds that Nex-Tech's arguments in favor of granting it relinquishment in the Abilene exchange rely on unsupported or speculative assertions of fact and erroneous conclusions of law, and therefore, the Commission rejects them. The Commission finds that Nex-Tech's request for relinquishment in the Abilene exchange should be denied. Further, the Commission finds that this Order shall be served on all CETCs designated in Nex-Tech's exchanges approved for relinquishment so that they understand their ongoing obligations.

THEREFORE, THE COMMISSION ORDERS:

A. Nex-Tech may cease participation in the KLSP, effective May 31, 2019, in accordance with K.S.A. 66-2006(d).

B. Nex-Tech's request for ETC relinquishment in the Atwood, Bird City, Great Bend, Hays, Hoxie, McDonald, McPherson, Norton, Oberlin, Phillipsburg-Kirwin, Plainville, Salina, Smith

⁶⁰ See Nex-Tech 17-158 Docket PFR, ¶ 15.

⁶¹ See *Dillon Stores v. Bd. of Cty. Comm'rs of Sedgwick Cty.*, 259 Kan. 295, 299 (1996).

Center, St. Francis, and Stockton exchanges is granted. The remaining ETCs in these exchanges shall ensure that all customers served by Nex-Tech will continue to be served. Further, the Commission directs this Order to be served on all CETCs designated in Nex-Tech's exchanges approved for relinquishment so that they understand their ongoing obligations.

C. Nex-Tech's request for ETC relinquishment in the Abilene exchange is denied.

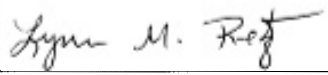
D. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).⁶²

E. The Commission retains jurisdiction over the subject matter and parties to enter such further orders as it deems necessary.

BY THE COMMISSION IT IS SO ORDERED.

Keen, Chair; Albrecht, Commissioner; Emler, Commissioner

Dated: 04/23/2019



Lynn M. Retz
Secretary to the Commission

MJD

⁶² K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

19-NTHT-244-ETC

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 04/23/2019.

BRUCE A. NEY, AVP -SENIOR LEGAL COUNSEL
AT&T KANSAS
816 CONGRESS AVE
SUITE 1100
AUSTIN, TX 78701-2471
Fax: 512-870-3420
bruce.ney@att.com

ROB LOGSDON, DIRECTOR REGULATORY AFFAIRS**
COX KANSAS TELCOM, L.L.C.
D/B/A COX COMMUNICATIONS, INC
11505 WEST DODGE RD
OMAHA, NE 68154
Fax: 402-933-0011
rob.logsdon@cox.com

JOHN WILLIS
I-WIRELESS, LLC
ONE LEVEE WAY STE 3104
NEWPORT, KY 41071-1661
Fax: 859-261-6639
john.willis@iwirelesshome.com

WALKER HENDRIX, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3354
w.hendrix@kcc.ks.gov

MONICA K AKIN, GENERAL COUNSEL
NE COLORADO CELLULAR, INC.
D/B/A VIAERO WIRELESS
1224 W PLATTE AVE
FORT MORGAN, CO 80701
monica.akin@viaero.com

JULIA REDMAN- CARTER, REGULATORY AND
COMPLIANCE OFFICER
BOOMERANG WIRELESS, LLC
955 KACENA RD STE A
HIAWATHA, IA 52233
Fax: 319-294-6081
jrcarter@readywireless.com

DAVID SKOGEN, PRESIDENT/CEO
GLOBAL CONNECTION INC. OF AMERICA
5555 OAKBROOK PKWY STE 620
NORCROSS, GA 30093
Fax: 678-741-6333
dskogen@gcioa.com

MICHAEL DUENES, ASSISTANT GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3354
m.duenes@kcc.ks.gov

MARK E. CAPLINGER
MARK E. CAPLINGER, P.A.
7936 SW INDIAN WOODS PL
TOPEKA, KS 66615-1421
mark@caplingerlaw.net

SHANNON DREILING
NEX-TECH WIRELESS, L.L.C
3001 NEW WAY
HAYS, KS 67601
Fax: 785-265-4479
sdreiling@ntwls.com

CERTIFICATE OF SERVICE

19-NTHT-244-ETC

JON LIGHTLE, PRESIDENT AND CEO
NEX-TECH WIRELESS, L.L.C
3001 NEW WAY
HAYS, KS 67601
Fax: 785-265-4479
jlightle@ntwls.com

ISSA ASAD, MANAGING MEMBER
Q LINK MOBILE LLC
499 E SHERIDAN STREET STE 400
DANIA BEACH, FL 33004
Fax: 305-402-0224
reg@qlinkmobile.com

MYLOC DINN, ASST. GENERAL COUNSEL & SR DIR. OF
GOV. AFFAIRS
SAGE TELECOM COMMUNICATIONS, LLC
1149 S HILL ST STE 400
LOS ANGELES, CA 90015-2894
Fax: 214-495-4789
regulatoryaffairs@truconnect.com

JOHN H SPILLERS IV., ACCOUNTING/FINANCE
MANAGER
TELRITE CORPORATION
11100 Alcovy Road
COVINGTON, GA 30014
Fax: 678-202-1330
john.spillers@telrite.com

SHARYL FOWLER, REGULATORY & LIFELINE
COMPLIANCE MANAGER
TEMPO TELECOM, LLC
115 GATEWAY DR
MACON, GA 31210
sharyl.fowler@lingo.com

RICHARD B. SALZMAN, EXECUTIVE VICE PRESIDENT
TRACFONE WIRELESS, INC.
D/B/A Safe Link
9700 NW 112TH AVE
MIAMI, FL 33178
rsalzman@tracfone.com

STEPHANIE CASSIOPPI, DIRECTOR - STATE
LEGISLATIVE AND REGULATORY AFFAIRS*
USCOC OF NEBRASKA/KANSAS LLC
8410 BRYN MAWR
CHICAGO, IL 60631
Fax: 847-864-3133
stephanie.cassioppi@uscellular.com

ELAINE DIVELBLISS, LEGAL & BUSINESS AFFAIRS
VIRGIN MOBILE USA, L.P.
C/O SPRINT REGULATORY REPORTING
6391 SPRINT PARKWAY
OVERLAND PARK, KS 66251
Fax: 917-405-2524
elaine.divelbliss@sprint.com

DALE SCHMICK, VICE-PRESIDENT/GEN. MANAGER
YOURTEL AMERICA, INC.
D/B/A TERRACOM
710 CEDAR LAKE BLVD
SUITE 100
OKLAHOMA CITY, OK 73114-7811
Fax: 816-388-1044
dale@terracominc.com

/S/ DeeAnn Shupe
DeeAnn Shupe
