

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the Matter of the Application of Wheat)
State Telephone Company Inc. Filing Tariff)
Revisions in Sections 2, 3, and 4 Revised) Docket No. 25-WHST-214-TAR
Sheets 2, 4 thru 7, 10 and 12.)

ORDER APPROVING REVISED TARIFF

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (“Commission”) for consideration and determination. Having examined its files and records, the Commission finds and concludes:

I. Background

1. On August 22, 2024, the Commission approved the Order Adopting Joint Staff and RLEC’s Proposed Replacement for the 1967 Directive Regarding Directories in Docket No. 24-GIMT-380-MIS (“the 24-380 Docket”).¹ The Order in the 24-380 Docket eliminated any requirement that mandated Rural Local Exchange Carriers (“RLECs”) to physically print and distribute a telephone directory to subscribers.² The Order in the 24-380 Docket also allows RLECs to provide directories in any format or manner an individual RLEC deems most cost-effective, upon request from a subscriber, subject to the conditions outlined in paragraph 6 of the 24-380 Order.³

¹ Order Adopting Joint Staff and RLECs Proposed Replacement For 1967 Directive Regarding Directories (Aug. 22, 2024) (“24-380 Order”).

² 24-380 Order, p. 4.

³ *Id.*

2. Paragraph 6 of the 24-380 Order creates the following conditions on an RLEC that elects to discontinue to distribute a formal bound and printed directory:

- Each RLEC will provide at least 90 days' notice before ceasing the distribution of a printed directory to every subscriber, through bill messages, bill inserts, website announcements and social media messaging, including information on (1) accessing any online or electronic directory, and (2) requesting a paper copy of the directory from the RLEC;
- The notice will also include information on how customers can communicate with the respective RLEC, or the Commission;
- The RLEC will inform new customers that they will not be receiving a printed directory, and will provide new customers with information on how to access an online directory or obtain a printed directory upon request; and
- RLECs that elect to stop distributing directories will send annual reminders to their customers that a printed directory will no longer be provided, but that the customer may request a simple paper/PDF copy of directory information.⁴

3. On November 13, 2024, Wheat State Telephone Company Inc. (“Wheat State”) filed an Application requesting to make tariff revisions to its General Exchange Tariff.⁵ These tariff revisions reflect the implementation of the Commission’s Order in the 24-380 Docket.

II. Legal Discussion and Analysis

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

K.S.A. 66-1,190 provides in part 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

⁴ *Id.*, p. 3.

⁵ Application of Wheat State Technologies Inc. (Nov. 13, 2024).

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 must review rates and terms for jurisdictional telecommunications services to ensure they are “just and reasonable” pursuant to K.S.A. 66-1,189. Further, K.S.A. 66-1,189 requires the Commission to ensure that all classifications, rules, and regulations regarding the services are not unduly discriminatory or preferential.

5. On November 19, 2024, Commission Staff (“Staff”) submitted its Report and Recommendation (“R&R”), attached hereto and incorporated herein.⁶

6. Staff determined that Wheat State’s revisions to its tariffs are intended to implement language that the Company will make available upon request and without charge a copy of the directory to any subscriber, either in person at Company offices or on the Company’s website.⁷ Staff confirmed that there is no revenue impact resulting from the changes to Wheat State’s tariff.⁸ Wheat State provided Staff with a copy of its notification to customers regarding the discontinuation of the printed directory as well as additional efforts to comply with the directives of the Commission’s August 22, 2024, Order in 24-380. Therefore, Staff recommended that the Commission find that Wheat State’s revisions to its tariff are just and reasonable and consistent with the Commission’s Order in the 24-380 Docket.

7. Staff recommended that the Commission grant Wheat State’s Application and approve Wheat State’s revised tariff as requested by the company.⁹

⁶ Staff’s Report and Recommendation (Nov. 19, 2024) (“R&R”).

⁷ *Id.* at p. 2.

⁸ *Id.*

⁹ *Id.*

8. The Commission hereby adopts Staff’s analysis and recommendations as contained in Staff’s November 19, 2024, R&R. The Commission concludes that Wheat State’s Application should be granted, and that Wheat State’s tariff revisions are approved as requested.


IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

- A. Wheat State Telephone Company Inc.’s Application is hereby granted, and its revised General Exchange Tariff is hereby approved and shall become effective December 12, 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).¹⁰

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 12/03/2024



Lynn M. Retz
Executive Director

AAL/MKH

¹⁰ 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: Steve Garrett, Deputy Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: November 19, 2024

SUBJECT: Docket No. 25-WHST-214-TAR

In the Matter of the Application of Wheat State Telephone Company Inc. Filing
Tariff Revisions in Sections 2, 3 and 4 Revised Sheets 2, 4 thru 7, 10 and 12.

EXECUTIVE SUMMARY:

On November 13, 2024, Wheat State Telephone Company Inc. (Wheat State) filed an Application with the Kansas Corporation Commission (Commission) for revision to its General Exchange Tariff. This revision will implement the Commission's August 22, 2024, Order Adopting Joint Staff and RLECs Proposed Replacement for the 1967 Directive Regarding Directories in Docket No. 24-GIMT-380-MIS (24-380 Docket). The Tariff pages impacted by this revision include the following:

- Table of Content, 1st Revised Sheet 5
- Section 2, 1st Revised Sheet 4 through 7 and 10
- Section 3, 1st Revised Sheets 4 and 7 through 12
- Section 4, 1st Revised Sheet 2
- Section 4, 2nd Revised Sheet 4 through 6
- Section 4, 3rd Revised Sheet 7

Staff recommends approval of this Application. The Commission action date is Thursday, December 12, 2024.

BACKGROUND

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

Pursuant to K.S.A. 66-1,189, the Commission must review rates and terms for every telecommunications public utility to ensure they are “just and reasonable” and the classifications, rules, and regulations regarding the services are not unduly discriminatory or preferential.

Additionally, K.S.A. 66-1,190 requires every public utility doing business in Kansas over which the Commission has control to 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. The Commission has the 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 as the Commission determines reasonable and appropriate.

ANALYSIS:

Wheat State’s revisions to its General Exchange Tariff implement language indicating that the Company will make available upon request and without charge, a copy of the directory to any Subscriber. Such list may be obtained in person at Company offices or on the Company’s website.

Staff’s review has indicated the Company’s revisions to Wheat State’s tariff are just and reasonable and consistent with the Commission’s Order in Docket No. 24-380. Wheat State indicates there is no revenue impact resulting from these changes.

RECOMMENDATION:

Staff recommends the Commission approve Wheat State’s revised tariff to implement the language changes from the Commission’s August 22, 2024, Order in Docket No. 24-GIMT-380-MIS with an effective date of December 13, 2024, as requested by the Company.

CERTIFICATE OF SERVICE

25-WHST-214-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 12/03/2024.

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