

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Commission recognizes Granite Telecommunications, LLC's compliances with the Commission's November 23, 2021, Order.

B. This Docket is hereby closed.

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

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Duffy, Commissioner

Dated: 12/07/2021



Lynn M. Retz
Executive Director

AAL

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

TO: Chairperson Andrew J. French
Commissioner Dwight D. Keen
Commissioner Susan Duffy

FROM: Sandy Reams, Assistant Chief of Telecommunications
Brooke Tibbits, Telecommunications Analyst
Bryan Seamans, Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: November 30, 2021

SUBJECT: Docket No. 22-GR TT-168-KSF
In the Matter of Granite Telecommunications, LLC Requesting Penalty Waiver

EXECUTIVE SUMMARY

On November 23, 2021, the Commission issued an Order denying Granite Telecommunications, LLC's (Granite) request to waive \$51.22 of penalties levied by Vantage Point Solutions (VPS), the KUSF administrator; instead, the Commission directed Granite to pay \$50.19 of the penalties and waived \$1.03 of penalties.

Granite has paid the \$50.19 of penalties, therefore, Staff recommends the Commission find Granite in compliance with its Order and close this Docket.

BACKGROUND

Granite did not timely pay its first quarter True-up assessment contribution for March – May 2021 by the July 15, 2021, due date.¹ VPS, therefore, levied a \$50.19 Delinquent Balance penalty to Granite in August 2021. Granite did not pay the \$50.19 Delinquent Balance penalty, resulting in VPS levying a second Delinquent Balance penalty to Granite in September 2021.² VPS assessed a third Delinquent Balance penalty to Granite in October 2021, resulting in Granite owing \$51.22 of Delinquent Balance penalties to the KUSF.

¹ KUSF Reporting & Payment Schedule, March 2021 – Feb. 2022, Attachment A, <https://www.vantagepnt.com/wp-content/uploads/2021/08/attachmenta-1.pdf>, last viewed Oct. 25, 2021.

² Staff notes the Company had a prior \$.01 balance that remained unpaid, resulting in the Delinquent Penalty balance varying by a few cents.

On October 8, 2021, Granite filed a letter requesting the Commission waive the Delinquent Balance penalties assessed by VPS. On October 27, 2021, Staff filed a Report and Recommendation (R&R) recommending the Commission deny Granite's request to waive all of its KUSF penalties and, instead, waive \$1.03 of the penalties and direct Granite to pay \$50.19 of the penalties within 21 days of issuance of an order.

ANALYSIS

Granite did not submit a response to Staff's R&R. Granite did pay the Delinquent Balance penalty of \$50.19 on November 15, 2021.

On November 23, 2021, the Commission issued its Order denying Granite's waiver request and directing Granite to pay \$50.19 of its Delinquent Balance penalties within 21 days of the Order's issuance. The Commission also directed VPS to write-off the \$1.03 of additional Delinquent Balance penalties.

RECOMMENDATION

Staff recommends the Commission issue an order finding Granite in compliance with the Commission's Order and close this Docket.

CERTIFICATE OF SERVICE

22-GR TT-168-KSF

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 12/07/2021.

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/S/ DeeAnn Shupe

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