

BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

In the Matter of the Application of)
Midcontinent Communications,)
A South Dakota General Partnership)
for Designation as an Eligible)
Telecommunications Carrier) Docket No. 24-MCCT-411-ETC

**AMENDED APPLICATION FOR EXPANSION OF
DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER**

COMES NOW Gleason & Doty, Chartered, representing Midcontinent Communications, a South Dakota General Partnership (hereinafter "Midco" or "Applicant"), and requests the State Corporation Commission of the State of Kansas ("Commission") expand the area in which Midco, an Eligible Telecommunications Carrier ("ETC") for federal and state Lifeline support is certified as an ETC for lifeline purposes. In support of its application Midco states as follows:

I. The Applicant

1. Midco is a South Dakota General Partnership. A Certificate of Partnership Authority certified by the Secretary of State of South Dakota is attached hereto as Exhibit A. Kansas statute (K.S.A. 17-7902) does not require registration of foreign (non-Kansas) general partnerships. The Applicant previously made a voluntarily filing with the Kansas Secretary of State in order to assure documentation of status and authority; a

copy of the Kansas registration of the Applicant's General Partnership Statement of Partnership Authority is attached hereto as Exhibit B.

2. Midco was granted a Certificate of Convenience to provide competitive local exchange service in the State of Kansas in those areas served by AT&T and Century Link in docket number 17-MCCT-252-COC (CLEC).

3. Midco was granted ETC status by this commission in docket 17-MCCT-254-ETC and now seeks an expansion of the area in which it is so designated. The expanded area for which ETC status is now requested is located in two areas not included in the prior dockets and includes portions of Johnson and Wyandotte counties. The specific service areas for which expanded ETC designation is requested are shown below; those areas are further identified and defined by legal description in the Amended Video Services Authorization application approved by the KCC in its June 15, 2023 order in Docket No. 17-MCCT-238-VSA, which description Midco adopts by reference.

Area One is in western Johnson County from De Soto to the county line of Douglas County. The area does encompass a portion of the City of De Soto. The north border is K 10 (Governor John Anderson Jr. Hwy). The east border serves the parcels on the east side of Lexington Ave. and the south border serves the parcels along the south side of W 103rd street.

Area Two is a portion of the City of Bonner Springs, Kansas. This area is:
Minnesota Avenue between N 142nd St and N 141st St;
N 142nd Street from Minnesota Avenue to just north of Riverview Ave.;
N 141st Street from Minnesota Avenue to Sandusky Ave.;
Sandusky Ave between N 141st St and N 142nd St.

4. Midco's contact information is as follows:

Patrick McCann, Vice President and Assistant General Counsel
Midcontinent Communications
3901 N Louise Avenue
Sioux Falls, SD 57107
605-271-0594
Patrick.McCann@midco.com

Midco requests that service of any notices and documents be directed to the above, with copies sent additionally to the Applicant's signatory counsel identified below.

5. Midco has substantial experience deploying and providing basic and advanced communication services for the benefit of Kansas consumers. Midco currently provides such services in and around Lawrence and Eudora in Douglas County, Kansas. The area for which the expanded ETC designation is now sought is adjacent to Midco's current service areas. Midco will utilize personnel with extensive experience in the provision of basic and advanced communications services to end-users in this general area and further have significant experience satisfying state and federal regulatory requirements related to such provision. The personnel with this directly relevant experience will be the same as those personnel currently serving Midco customers in existing service areas.

II. Eligibility for the Designation Requested

6. The Commission has authority under the federal Communications Act to designate Midco as an ETC. Section 214(e)(2) of the Act directs state commissions to designate as an ETC, in the case of study areas not served by a rural telephone company, any common carrier that:

- (i) offers the services that are supported by the Federal universal service support mechanism under section 254(c), either using its own facilities or a combination of its own facilities and resale of another carrier's services (including the service offered by another eligible telecommunications carrier); and
- (ii) advertises the availability of such services and the charges therefore using a media of general distribution.

The incumbent local exchange carrier for the area in which Midco seeks ETC designation is Southwestern Bell Telephone Company d/b/a AT&T ("AT&T"). AT&T is not a rural telephone company under either federal or state definitions.

7. Midco's Lifeline service will satisfy all federal service or functionality requirements for ETC designation. Those requirements are:

- a. Voice-grade access to the public switched network – Midco will provide wireline-based digital voice telecommunications service, interconnected to the public switched network.

- b. Local usage – Although federal requirements do not specify the extent of local usage to be made available without additional charge Midco's Lifeline voice service will provide unlimited local minutes of use as an element of the basic service offering. Lifeline customers will additionally have the option to purchase unlimited domestic interexchange calling at affordable rates as an element of a variety of service packages.

- c. Access to emergency service – Midco's wireline voice service includes connectivity to the relevant Public Safety Access Points for each portion of its proposed Lifeline service area, at the highest level of functionality implemented by the respective governmental units. This service component will assure reliable provision of customer

access to E911 emergency services as well as emergency service provider access to precise customer locations.

d. Toll limitations for qualifying low-income consumers – Midco offers in other states, and will offer in Kansas, toll limitation capability for qualifying customers.

8. Midco will advertise the availability of supported services, throughout its ETC-licensed service area, as required by 47 C.F.R. § 54.201, by media of general distribution. The methods of advertising utilized may include direct mail, internet advertisements, print advertisements in newspapers, and Public Service Announcements on the Applicant's CATV system. Midco's telephone service brochures and the handbooks provided to new telephone customers provide information on the availability of Lifeline assistance. Also, at least annually Midco advises customers of the program through its billing statement message. A billing statement message is sent on a quarterly basis. Additionally Midco will make specific efforts to advertise to likely eligible consumers by providing its Lifeline brochures at locations where qualified consumers would find them, *e.g.*, at social service agencies and senior citizen centers. A sample of the billing statement utilized by Midco is attached hereto as Exhibit C.

9. Midco will satisfy the federal Lifeline promotional requirements set forth in Section 54.405(b) of the FCC Rules and in that agency's Lifeline Reform Order. Midco will further satisfy the KCC's requirement that its Lifeline advertising include meaningful language allowing potential Lifeline customers to know what they can expect through Lifeline service. Midco will provide proposed Lifeline advertising for review by Commission Staff to assure compliance with this requirement. Preliminarily Midco submits as an Exhibit D copies of its currently used print advertising and text of broadcast advertising addressing its Lifeline services in other areas it serves within the State of Kansas.

10. As a CLEC holding a certificate of convenience and authority from this Commission Midco satisfies the requirement that an ETC be a common carrier.

11. Midco will comply with the requirement of Section 214(e)(1) of the Act that it offer supported services “either using its own facilities or a combination of its own facilities and resale of another carrier’s services.” Midco’s provision of these services will be made through its own facilities.

12. Midco will remain functional during emergencies as required by Section 54.202(a)(2) of the FCC Rules. Midco is an experienced provider of local exchange service to more than 100,000 customers in the states of Minnesota, North Dakota and South Dakota. In those states winter weather is regularly more severe than that ordinarily occurring in Kansas. Accordingly, Midco has developed considerable experience anticipating and managing emergency situations, and assuring continuation of service. Midco, by way of example, constantly monitors quality of service and endeavors to stay ahead of issues such as battery backup affecting service in an emergency. Midco offered 8-hour backup and free replacement to its customers long before the FCC began to address this issue.

13. Midcontinent currently provides auxiliary and battery power backup. Midcontinent has a Power Supply Response Team (“PSRT”) whose objective is to provide uninterrupted service to telephone subscribers during periods of commercial power interruptions.

14. Midco will comply with all state and federal regulatory requirements applicable to the provision of the subject services, including obligations of remittance for universal service support programs. Those consumers in the subject areas who request and utilize Midco’s local and/or interexchange services will become local exchange customers of Midco. Midco has years of experience satisfying all such

regulatory responsibilities. The same systems and procedures that have satisfied these multi-jurisdictional requirements will assure compliance as to new customers in the subject areas. If at any time Midco should determine to cease operations as an ETC, it will comply with all requirements of the FCC and of this Commission for relinquishment of its status and service obligations.

III. The Public Interest

15. All funds received by Midco under the universal service supports for low income customers will be used by Midcontinent to reduce the cost of basic local service provided to those customers qualified to receive support under the program

16. Midco's proposed Lifeline service offering has unique features beneficial to customers and to the public generally. By reducing the cost of basic service Lifeline discounts will make combinations of services, including advanced services, more readily and affordably available to eligible consumers. This synergy will be further enhanced by Midco's forthcoming federal application for Lifeline broadband eligibility, which will reduce the net cost for robust digital data services increasingly important to low-income consumers.

17. The availability of consumer-selected Midco service enhancements is indirectly enhanced by greater and more affordable access to basic service, which allows consumers increased choice among such service enhancements as common vertical calling services, unlimited domestic interexchange calling, and terminating call management by which the consumer may block "robocalls," telemarketing calls and other unwanted intrusions.

18. The grant of Kansas Lifeline eligibility will additionally assure to Midco Lifeline customers the availability of equal access to interexchange carriers, a

requirement not applicable to carriers eligible only for federal Lifeline support. This will make expanded consumer choice and the opportunity for cost savings available to Midco Lifeline customers.

19. The public benefit resulting from designation of additional Lifeline ETC carriers, particularly in non-rural service areas, is well established as recognized both by this Commission and by the FCC. The presence of additional providers results in greater innovation, price restraint and quality of service enhancement. Both the new entrant and existing providers in a communications market are incented to offer consumers more attractive service and more favorable terms. Specifically additional Lifeline availability enhances and expands universal service generally, by making access to the public switched network available to more consumers. This result in turn enhances the value of the network to all customers by increasing the number of individuals able to call and be called.

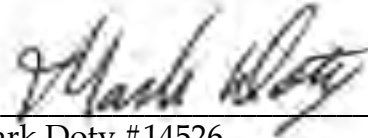
20. In addition to advancing the public interest generally by expanding consumer choice, designation of an additional Lifeline ETC for state support will advance a specific public interest confirmed by the Kansas Legislature in K.S.A. 66- 2006(a): “The purpose of the KLSP shall be to promote the provision of universal service by local exchange carriers to persons with low income. The KLSP shall be targeted to maintain affordable rates for residential local exchange service.”

21. Designation of Midco as a state and federal ETC will have minimal impact on universal service support mechanisms. Support will be paid only for the number of qualifying consumers who elect the Midco Lifeline service, not for high cost service generally. To the extent Lifeline service adds customers to the network, additional contributions to the respective support funds will offset a portion of the minimal increased demand on the funds.

22. In its CC Docket No. 96-45 the FCC has recognized the minimal effect on universal service support resulting from designation of a lifeline-only ETC. This recognition was amplified by the federal agency's observation that "any increase in the size of the fund would be minimal and would be outweighed by the benefit of increasing eligible participation in the Lifeline and Link-Up programs, furthering the statutory goal of providing access to low-income consumers."

WHEREFORE Midco requests that the Commission expand the area in which Midco is designated as an Eligible Telecommunications Carrier for federal support for the specified purposes addressed herein in the geographical areas identified herein.

Respectfully Submitted,

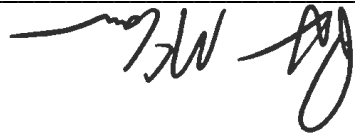


Mark Doty #14526
GLEASON & DOTY, CHARTERED
401 S. Main, Suite 102
Ottawa, KS 66067
(785) 242-3775
doty.mark@gmail.com
Attorney for Midcontinent Communications

VERIFICATION

I verify under penalty of perjury that the foregoing is true and correct.

Executed on February 4th, 2025



Patrick McCann, Senior Vice President / General Counsel

State of South Dakota



OFFICE OF THE SECRETARY OF STATE

Department of State

- United States of America,
- Secretary's Office
- State of South Dakota

ORGANIZATIONAL ID #: GP000101

This is to certify that the attached instrument of writing is a true, correct and examined copy of the Statement of Partnership Authority for **Midcontinent Communications** filed in this office on **October 27, 2016**.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the state of South Dakota, in Pierre, the Capitol City, this day November 2, 2016.

Shantel Krebs

**Shantel Krebs
Secretary of State**

Fees: \$21

0 51065 340

UTAH/MSA

GA
51-11KANSAS SECRETARY OF STATE
**General Partnership Statement
of Partnership Authority**

549-0826

Kansas Office of the Secretary of State:

Memorial Hall, 1st Floor	(785) 296-4564
120 S.W. 10th Avenue	kssos@sos.ks.gov
Topeka, KS 66612-1594	www.sos.ks.gov

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Instructions: All information must be completed or this document will not be accepted for filing.

1. **Name of partnership**

Midcontinent Communications, a South Dakota general partnership

2. **Principal office address**

Street Address

3600 Minnesota Drive, Suite 700

City

Minneapolis

State

MN

Zip

55435

Country

USA

3. **Mailing address**

Address will be used to send official mail from the Secretary of State's Office.

Attention Name

Attn: Patrick J. Mastel

Address

3901 North Louise Avenue

City

Sioux Falls

State

SD

Zip

57107

Country

USA

4. **Address of the partnership's office in the state of Kansas, if one exists**

Street Address

644 New Hampshire Street

City

Lawrence

State

KS

Zip

55044

5. Name and mailing address of each general partner

Do not leave blank. If additional space is needed please provide an attachment

Name Midcontinent Communications Investor, LLC			
Address 3600 Minnesota Dr., Suite 700			
City Minneapolis	State MN	Zip 55435	Country USA

OR

Name Comcast Midcontinent, LLC			
Address 1701 John F. Kennedy Blvd.			
City Philadelphia	State PA	Zip 19103	Country USA

Name of an agent appointed by the partnership

Name			
Address			
City	State	Zip	Country

Name			
Address			
City	State	Zip	Country

6. The name(s) of the partner(s) authorized to execute an instrument transferring real property held in the name of the partnership


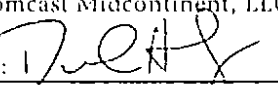
Name Midcontinent Communications Investor, LLC			
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7. The authority or limitations on authority of some or all partners to enter into transactions on behalf of the partnership

Optional

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8. We declare under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct and we have remitted the required fee.

Signature of Partner	Midcontinent Communications Investor, LLC	Month	Day	Year
By:		10	12	2021
	Patrick J. Mastel, SVP and General Counsel			
Signature of Partner	Comcast Midcontinent, LLC	Month	Day	Year
By:		10	8	2021
	Its: Vice President			

KANSAS SECRETARY OF STATE
NON-CERTIFIED WEB COPY
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Contact Us: Midco.com or 1.800.888.1300

NEW CUSTOMER
123 SUNSHINE WAY
ANYTOWN, USA 51000



Total Amount Due \$00.00
Pay By 07/04/18
Account Number 0123456789

News from Midco!

Welcome to Midco!

We know that you'll enjoy our reliable phone service. By subscribing to the service, you agree to the terms and conditions described in the enclosed agreement and at Midco.com/Legal.

Assistance: Low-income telephone subscribers may qualify for Lifeline Assistance Programs. Visit Midco.com/Lifeline or call 1.800.888.1300 for details.

Alert: Caller identification is susceptible to fraud known as Caller ID Spoofing. Fraudulent parties can deliberately falsify a number relayed to your caller ID to try to disguise their identity and where the call was originated. For more information visit www.fcc.gov/guides/caller-id-and-spoofing.

Your privacy is important at Midco. When requesting call record information, we follow strict verification procedures before releasing information.

Questions? Call 1.800.888.1300.

New Charges Summary	
Phone Services	00.00
Additional Phone Services	0.00
Taxes, Surcharges & Fees	00.00
Total New Charges	\$00.00
Current Billing Summary	
Previous Balance	0.00
Current Amount Before Savings	0.00
Total Monthly Savings	00.00
Total Amount Due	\$00.00

You Saved \$0.00 This Month

Phone Package Discount	-0.00
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Detach and enclose the portion below with your payment. Please write your account number on your check. Do not send cash.



PO Box 5010, Sioux Falls, SD 57117-5010
9607 3 AB 0.408 011100//31786

NEW CUSTOMER
123 SUNSHINE WAY
ANYTOWN, SD 51000

Total Amount Due Do Not Remit
Pay By 07/04/18
Account Number 0123456789

Statement Code 001

Name/Address Corrections Noted

Make checks payable to:

MIDCONTINENT COMMUNICATIONS
P.O. BOX 5010
SIOUX FALLS, SD 57117-5010



Pay Online: Visit Midco.com. Register for or sign in to My Account.
Pay by EFT: Currently enrolled in Automatic Payment
Pay by Phone: Call 1.800.888.1300 to make an automated payment.
Pay by Mail: Return this stub with payment. Do not send cash.



Contact Us: Midco.com or 1.800.888.1300

Total Amount Due \$0.00
 Pay By 07/04/18
 Account Number 0123456789

Phone Services \$00.00

Home Phone Package	06/15-07/14	00.00
	<i>(Unpackaged Price \$00.00)</i>	
Discounts:		
Phone Package Discount		-\$00.00

Get calling with a basic phone line ((XXX)XXX-XXXX) 8 calling features, unlimited local & domestic long-distance calling, plus voicemail with eVOICE.

Additional Phone Services -\$0.00

For Telephone: (XXX) XXX-XXXX	06/15-07/14	-0.00
Federal Lifeline Support		

Taxes, Surcharges & Fees \$0.00

Phone		
Federal Access		0.00
Federal Excise Tax		0.00
Universal Service Fee		0.00
Local Number Portability		0.00
County Govt 911 Emergency Surcharge		0.00
Federal TRS & Administration Fee		0.00
Access Recovery Charge		0.00
Telecom Relay Services		0.00
Gross Receipts Tax		0.00
Local Sales Tax		0.00
County Sales Tax		0.00
State Sales Tax		0.00

Frequently Asked Questions

What are Federal Access Charges?

These charges - proposed and authorized by the Federal Communications Commission (FCC) - provide for access to and maintenance of the local network.

What is the Federal Excise Tax?

The federal government mandates this tax, which is imposed on local and wireless phone services.

What is the Universal Service Fee?

In May 1997, the Federal Communications Commission adopted rules mandating all telecommunications carriers pay into a federal program called the Universal Service Fund (USF). The fund helps provide affordable telecommunications services for both low-income customers and customers in rural areas. It also provides discounts on internet access for eligible schools, libraries and rural healthcare providers.

What is the Local Number Portability Fee?

The Federal Communications Commission permits phone companies to add this charge to all phone lines as compensation for creating systems that allow residential and business phone customers to retain their existing local phone numbers (at the same location) when switching from one local phone service to another.

What is the County Government 911 Emergency Surcharge?

Local governments mandate this surcharge to help pay for emergency services such as fire and rescue.

Closed Captioning Inquiry: If you need assistance with closed captioning, you may contact us via email at closed_caption@midco.net, call us at 1.800.888.1300 or send a fax to 605.271.1986. For written inquiries, please contact Scott Anderson, Chief Legal Officer, 3901 N Louise Avenue, Sioux Falls, SD 57107.



Contact Us: Midco.com or 1.800.888.1300

Total Amount Due
Pay By
Account Number

07/04/18
0123456789

What is the Federal Telecom Relay Service (TRS) and Administration Fee?

All carriers providing interstate telecommunications must support TRS, which enables phone conversations between people with speech/hearing impairments and those without. The Federal TRS surcharge is assessed as a percentage of interstate toll charges.

What is the Access Recovery Charge (ARC) Fee?

The Access Recovery Charge (ARC) is a fee related to changes in FCC rules. This monthly fee is a way to recover the costs of providing access to the phone network.

What is the Telecom Relay Service Charge?

This state service charge helps to pay for the state relay center, which transmits and translates calls for hearing-impaired people.

What is the Gross Receipts Tax? This tax is on gross receipts derived from the furnishing of phone services. The service provider collects the tax and reports the collections annually to the Department of Revenue.

What are State and Local Taxes?

State, local and municipal governments mandate these taxes on goods and services.

What is Midco's policy on refunds for credit card transactions?

When a customer pays money on an account by credit or debit card, and there needs to be a partial or full refund to that card because of the customer's transaction, it is Midco's policy to issue a credit to the customer's account as long as it is within 30 days of the credit transaction. If there was an error in the amount charged to card by Midco, we may issue a credit to the customer's credit card with a manager's approval.

What is Midco's policy for returned payments?

If any payment is returned unpaid, Midco will apply a fee to your next monthly statement. The fee will be determined by the maximum non-sufficient funds (NSF) fee allowed by applicable law.

For customers who have authorized recurring payments: You authorize Midco to make a one-time electronic funds transfer (EFT) from your account to collect a fee. The fee will be determined by the maximum non-sufficient funds (NSF) fee allowed by applicable law.

If you plan on moving, please call 1.800.888.1300 or visit **Midco.com/Move** at least two weeks prior to your move to ensure a smooth transition of services. Then complete a change of address form with the U.S. Postal Service at **USPS.com** to make sure your mail always reaches you.

Call Before You Dig There may be underground wires located in your yard. Digging into an underground wire could result in serious personal injury, service interruptions or property damage. If utility lines are cut, you may be liable for charges. Please call 811 or the appropriate number for your state to locate underground utility cables:

South Dakota 1.800.781.7474
North Dakota 1.800.795.0555
Minnesota 1.800.252.1166
Wisconsin 1.800.242.8511
Kansas 1.800.344.7322



MIDCO®

Keeping you connected.

Internet and home phone assistance programs from Midco®.

Whether it's for school, work or to stay in touch with family and friends, everyone deserves to have access to affordable internet and home phone services. Midco is proud to partner with the federal government for the Lifeline assistance program.

Lifeline Benefits

- Used for internet or home phone services
- Provides up to \$9.25 per month
- Provides up to \$34.25 per month for those living on tribal lands during the current award year
- Meets the eligibility criteria for a participating provider's existing low-income program

Eligibility

If any household member meets any of the criteria below, you may be eligible for Lifeline.

- Has an income that is at or below 135% of the federal poverty guidelines
- Participates in certain assistance programs, such as SNAP, Medicaid, Federal Public House Assistance, SSI or Veterans Pension and Survivors Benefit
- Participate in tribal specific programs, such as Bureau of Indian Affairs General Assistance, Tribal Head Start, Tribal TANF or Food Distribution Program on Indian Reservations

Apply

1

Visit [LifelineSupport.org](https://www.LifelineSupport.org) to apply for Lifeline.

2

Contact Midco to select a plan and apply the discount to your bill.

Questions?

Midco
1.800.888.1300
[Midco.com/InternetAssistance](https://www.Midco.com/InternetAssistance)

Services may not be available in all areas, and some restrictions may apply.



MIDCO®

Manteniéndote conectado.

Programas de asistencia para Internet y teléfono residencial de Midco®.

Ya sea que lo uses para la escuela, el trabajo, o para mantenerte en contacto con tu familia y amigos, todos merecen tener acceso a servicios de Internet y telefonía residencial a precios accesibles. Midco se enorgullece de asociarse con el gobierno federal para el programa de asistencia Lifeline.

Los Beneficios de Lifeline

- Se aplican a los servicios de Internet o de teléfono residencial
- Proveén un descuento de hasta \$9.25 por mes
- Proveén un descuento de hasta \$34.25 por mes a aquellos que residen en zonas tribales

Elegibilidad

Si algún miembro del hogar cumple con alguno de los requisitos presentados a continuación, usted puede ser elegible para Lifeline si:

- Tiene un ingreso igual o inferior al 135% del de las pautas federales de pobreza
- Participa en alguno(s) de los programas de asistencia, tales como el Programa de Asistencia de Nutrición Suplemental (SNAP), Medicaid, Asistencia Federal de Vivienda Pública, Seguro de Ingresos Suplementarios (SSI) o Pensión para Veteranos y Beneficios para Sobrevivientes
- Participa en programas destinados a grupos tribales tales como la Oficina de Asistencia General para Asuntos Indígenas, Tribal Head Start, Tribal TANF o el Programa de Distribución de Alimentos en Reservas Indígenas

Cómo Aplicar

1 Visita LifelineSupport.org para aplicar por el programa Lifeline.

2 Contacta a Midco para elegir un plan y aplicar el descuento correspondiente a tu factura.

¿Preguntas?

Midco

1.800.888.1300

Midco.com/InternetAssistance

Es posible que los servicios no estén disponibles en todas las áreas y que se apliquen algunas restricciones.

CO02_02_009_1124

Text of Cable System Ads regarding Lifeline

At Midco, we believe being connected is important. You use your internet and phone to pay bills, complete homework and stay in touch with family and friends. But we know for some people, a home phone or internet connection is just not affordable. We're here to change that with the Lifeline assistance program.

Qualifying households can get home phone service at a reduced monthly rate and broadband internet for less than \$10 a month.

To find out if you qualify for Lifeline assistance, call 1.800.888.1300 or visit Midco.com/Lifeline.