

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

Before Commissioners: Jay Scott Emler, Chairman  
Shari Feist Albrecht  
Pat Apple

In the Matter of the Application of )  
Valu-Net, LLC Filing for Kansas ) Docket No. 13-VNLT-556-VSA  
Video Service Authorization. )

**ORDER APPROVING VIDEO SERVICE AUTHORIZATION**

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 record, and being duly advised in the premises, the Commission finds and concludes as follows:

1. On August 9, 2016, Valu-Net, LLC (Valu-Net) filed an Amended Application (Application) for state-issued Video Service Authorization (VSA), as authorized by K.S.A. 2015 Supp. 12-2023 and K.A.R. 82-15-1.

2. K.S.A. 2015 Supp. 12-2023 authorizes the Commission to review applications for those entities desiring to provide cable or video services within the State of Kansas. At pages 1 and 2 of its Report and Recommendation attached to this Order, the Commission Staff (Staff) sets forth in detail the showings applicants must make with regard to applications for video service authorization, and the same are adopted herein by reference. Upon an applicant meeting all application requirements, the Commission will issue the requested VSA.

3. The Commission Staff (Staff) reviewed Valu-Net's Amended Application and on August 24, 2016, filed its Report and Recommendation dated August 22, 2016, recommending approval of Valu-Net's Application requesting authorization to serve the City of Baldwin City, Kansas. Staff indicates that in accordance with K.S.A. 2015 Supp. 12-2023(a), Commission action in this matter is required not later than Thursday, September 8, 2016.

4. Staff's Report and Recommendation confirms that Valu-Net is properly registered with the Kansas Secretary of State's office as a Kansas limited liability company and that the company's status with the Secretary's office is *active and in good standing*. Staff indicates that Valu-Net's principal place of business is 2914 West Highway 50, Suite A, Emporia, Kansas.

5. According to Staff, Valu-Net is properly registered with the Federal Communications Commission (FCC) for its proposed service area and has provided the following Community Unit Identification (CUID) information:

<u>Community Served:</u>	<u>CUID#:</u>
The City of Baldwin City, Kansas	KS0833

By initialing, Valu-Net has agreed to comply with all applicable federal and state statutes and regulations and agrees to comply with all lawful and applicable municipal regulations regarding the use and occupation of public rights-of-way in the delivery of video services, including the police powers of the municipalities in which the service is delivered.<sup>1</sup>

6. Staff indicates that an electronic version of Valu-Net's service area description has been provided electronically in a format compatible with the Commission's mapping system. For ease of future reference, Staff identifies Valu-Net's proposed service area footprint as Baldwin City, BLDW-02-VNLT-02.

7. The Commission concurs with Staff's analysis and recommendation contained in its August 22, 2016 Report and Recommendation, which is attached hereto and incorporated herein, and finds that Valu-Net's Application should be granted approving the company's requested amendment to its service area footprint to include the City of Baldwin City, Kansas.

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<sup>1</sup> Initial Application, Item #5.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. The Application of Valu-Net, LLC requesting state-issued Video Service Authorization is hereby granted and the requested additional service area footprint including the City of Baldwin City, Kansas, to be identified and known as Baldwin City, BLDW-02-VNLT-02, is hereby approved. The Video Service Authorization granted herein shall become effective as of the date of this Order.


B. The parties have fifteen (15) days, plus three (3) days if service of this Order is by mail, from the date this Order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 2015 Supp. 77-529.

C. The Commission retains jurisdiction over 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 SO ORDERED.**

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: AUG 30 2016

  
Amy L. Green  
Secretary to the Commission

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**Order Mailed Date**

**AUG 31 2016**

**REPORT AND RECOMMENDATION  
UTILITIES DIVISION**

**TO:** Chairman Jay Scott Emler  
Commissioner Shari Feist Albrecht  
Commissioner Pat Apple

**FROM:** Kelly Mabon, Telecommunications Analyst  
Christine Aarnes, Chief of Telecommunications  
Jeff McClanahan, Director of Utilities

**DATE:** August 22, 2016

**SUBJECT:** Docket No. 13-VNLT-556-VSA  
In the Matter of the Application of Valu-Net LLC Filing for Kansas Video Service Authorization.

**EXECUTIVE SUMMARY:**

On August 9, 2016, Valu-Net, LLC (Valu-Net) filed an Amended Application for state-issued Video Service Authorization, as authorized by K.S.A. 12-2023 and K.A.R. 82-15-1. Staff recommends approval of this Application.

**BACKGROUND:**

The Applicant has previously been granted state-issued video service authorization in one service area (footprint). This amended filing seeks additional authority, specifically, the city of Baldwin City, Kansas.

Per K.S.A. 12-2023(a), Commission action in this matter is required not later than **Thursday, September 8, 2016.**

K.S.A. 12-2023 gives the Commission the authority to review applications for those entities who desire to provide cable service or video service in the state of Kansas.

The Commission must review an application for a video service authorization (VSA) to determine whether:

- 1) The applicant identified the location of its principal place of business and the names of its principal executive officers;
- 2) The applicant has filed or will file all forms required by the Federal Communications Commission (FCC) before offering video service in Kansas;
- 3) The applicant has agreed to comply with all applicable federal and state statutes and regulations;
- 4) The applicant has agreed to comply with all lawful and applicable municipal regulations regarding the use and occupation of public rights-of-way in the delivery of the video service, including the police powers of the municipalities in which the service is delivered; and
- 5) The applicant has described the service area footprint to be served within Kansas and provided the period of time, not to exceed five years, in which the applicant will be capable of providing video service to all households in the service area footprint, and a general description of the type or types of technologies the applicant will use to provide the video programming.

These showings by the applicant are to be made in the form of an affidavit signed by an officer or general partner of the applicant. Upon proper showing, the Commission shall approve the VSA.

#### **ANALYSIS:**

The Applicant has identified its principal place of business as 2914 West Highway 50, Ste. A, Emporia, Kansas.

The Applicant is properly registered with the Kansas Secretary of State's office as a Kansas Limited Liability Corporation. Its current status with the Secretary's office is Active and in Good Standing.

The Applicant states they are properly registered with the FCC for their proposed service area and provided the following Community Unit Identification (CUID) information:

Community Served  
Baldwin City

CUID#  
KS0833

By initialing, the Applicant has previously<sup>1</sup> agreed to comply with all applicable federal and state statutes and regulations and agrees to comply with all lawful and applicable municipal regulations regarding the use and occupation of public rights-of-way in the delivery of video services, including the police powers of the municipalities in which the service is delivered. (Application item #5).

The Applicant is proposing additional service area of Baldwin City, Kansas, and has provided a legal description of the footprint.

An electronic version of this description, with precise boundary information, is included with the Application in a format compatible with the Commission's mapping system.

For ease of future reference, Staff is identifying<sup>2</sup> the proposed service area footprint as follows: Baldwin City, BLDW-02-VNLT-02.

**RECOMMENDATION:**

Staff recommends Commission approval of Valu-Net's Application with its additional service area footprint to be identified and known as Baldwin City, BLDW-02-VNLT-02.

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1. Applicant's initial filing in this Docket, dated 4-3-2013.

2. For ease of future referencing, staff assigns a four field footprint number using the following convention: ABCD-xx-EFGH-yy, where ABCD is the four character abbreviation of the major city encompassed by the service area, xx is a two digit sequentially assigned number of the provider's service areas, EFGH is the four alpha character company code and yy indicating the version of the company's footprint where 01 is the initial version, 02 the first revision, etc.

**CERTIFICATE OF SERVICE**

13-VNLT-556-VSA

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on AUG 30 2016.

OTTO NEWTON, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD ROAD  
TOPEKA, KS 66604  
Fax: 785-271-3167  
o.newton@kcc.ks.gov  
\*\*\*Hand Delivered\*\*\*

RICHARD LEE TIDWELL, MANAGING PARTNER  
VALU-NET LLC  
2914 W HWY 50 STE A  
EMPORIA, KS 66801-5394  
rick@myvalunet.com

/s/ DeeAnn Shupe  
DeeAnn Shupe

**Order Mailed Date**

**AUG 31 2016**