

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

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

In the Matter of a General Investigation of)
Working Assets Funding Service, Inc to Show)
Cause Why This Commission Should Not) Docket No. 25-WAFC-460-SHO
Levy Sanctions, Penalties, and Fines or)
Cancel, Suspend, or Revoke Any Authority the)
Carrier Holds for Non-Compliance with)
Kansas Statutes and Commission Orders.)

ORDER REVOKING CERTIFICATE

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:

1. The Commission has broad supervisory authority over all telecommunications public utilities in the state of Kansas and has a duty to inquire into any violation of law by a telecommunications public utility and its officers, agents and employees.¹

2. The Commission derives its authority and jurisdiction to supervise and control telecommunications public utilities from K.S.A. 66-1,188 and K.S.A. 66-2005(z). The Commission derives its authority to certificate and de-certificate public utilities from K.S.A. 66-131.

3. Every telecommunications provider is required to provide an annual interrogatory. Specifically, K.S.A. 66-123 provides:

¹K.S.A. 66-1,195.

Every public utility and common carrier governed by the provisions of this act when, and as required by the corporation commission, shall file with the corporation commission an annual report and such monthly or other regular reports, or special reports, and such other information as the corporation commission may require. When required by the corporation commission such reports and information shall be certified under oath by a duly authorized officer having knowledge of the matters therein contained. The corporation commission may at any time require from any public utility or common carrier specific answers to any questions upon which it may desire information in connection with matters pending before them.

The corporation commission may, in its discretion, grant extensions of the time within which reports and information are required to be filed. Annual reports shall be filed on or before May 1 for the preceding calendar year unless otherwise specified by commission order or rule and regulation.

Any public utility or common carrier, except motor carriers as defined in K.S.A. 66-196, et seq., and amendments thereto, governed by this act which fails, neglects or refuses to file with the corporation commission any annual reports, statements, monthly or regular reports or special reports required by the commission pursuant to statute or rules and regulations shall be subject to a civil penalty of not more than \$500.

4. Every provider earning intrastate revenues from retail telecommunications and interconnected VoIP services within the state of Kansas must contribute to the Kansas Universal Service Fund ("KUSF"). Specifically, K.S.A. 66-2008(a) provides:

The commission shall require every telecommunications carrier, telecommunications public utility and wireless telecommunications service provider that provides intrastate telecommunications services and, to the extent not prohibited by federal law, every provider of interconnected VoIP service, as defined by 47 C.F.R. 9.3, to contribute to the KUSF based upon the provider's intrastate telecommunications services net retail revenues on an equitable and nondiscriminatory basis. The commission shall not require any provider to contribute to the KUSF under a different contribution methodology than such provider uses for purposes of the federal universal service fund, including for bundled offerings. Any telecommunications carrier, telecommunications public utility, wireless telecommunications service provider or provider of interconnected VoIP service which contributes to the KUSF may collect from customers an amount equal to such carrier's, utility's or provider's contribution, but such carrier, provider or utility may collect a lesser amount from its customer.

5. Working Assets Funding Service, Inc., (“Working Assets” or “Company”) was granted a Certificate of Convenience and Authority (“COC”) to provide Interexchange Carrier (“IXC”) services in Docket No. 93-WAFC-035-COC.

6. As an IXC, Working Assets is required to file an annual revenue interrogatory by May 1, and, if delinquent, shall be subject to a civil penalty of not more than \$500 pursuant to K.S.A. 66-123 and 66-2008.

7. Working Assets’ business entity registration with the Kansas secretary of state was forfeited as of June 27, 2025, thus Working Assets is not legally allowed to conduct business in the state of Kansas pursuant to K.S.A. 17-7510.

8. Working Assets is required to file an annual Carrier Remittance Worksheet and pay the assessments for the applicable period at the beginning of each period to the KUSF Administrator.²

9. On August 14, 2025, the Commission issued an order to show cause to Working Assets requiring the Company to respond within thirty (30) days to the allegations of Staff regarding filing and payment delinquencies related to the KUSF.

10. Working Assets did not respond as ordered.

11. Commission Staff (“Staff”) submitted a Report and Recommendation (“R&R”) to the Commissioners dated October 15, 2025, attached hereto and made a part hereof by reference.

12. Since the issuance of the Order to Show Cause, Working Assets has failed to come into compliance with its KUSF obligations. Specifically, Working Assets remains delinquent in the following obligations:

² Order Setting the Kansas Universal Service Fund Assessment Rate for Year Fourteen and Canceling January 20, 2010 Technical Hearing, Docket No. 10-GIMT-188-GIT (10-188 Docket), Jan. 13, 2010; and Order Modifying Kansas Universal Service Fund Penalties, Staff Report and Recommendation, Docket No. 18-GIMT-084-GIT (18-084 Docket), Sept. 27, 2018.

- (1) its failure to submit the 2024 Annual Interrogatory Report (“AI”) to the Commission;
- (2) its delinquency of \$175 in Commission assessments;
- (3) its business registration is in forfeit status with the Kansas secretary of state;
- (4) its non-compliance with assessment payments and reporting obligations to Vantage Point Solutions (“VPS”), the KUSF Administrator; and
- (5) its outdated contact information with the Commission.

13. Based on the foregoing, Staff recommends that the Commission issue an order to revoke Working Assets’ Certificates of Convenience and Authority to provide IXE and services in Kansas.

14. Regarding Working Assets’ reporting obligations to the KUSF, Staff recommends that the Commission authorize VPS to remove the Company's name from its active KUSF files. It is possible that some monies might be retained in the KUSF, or attempts made to return the monies to the Company. Therefore, Staff requests the Commission also direct VPS to maintain its records in such a manner that in the event any monies due to the KUSF are ever paid, the files can reflect receipt of these monies paid.

15. The Commission finds Working Assets has had ample time to comply with the August 14, 2025, Order to Show Cause and has failed to do so.

16. The Commission finds Staff’s recommendations to be reasonable and hereby adopts the same.

17. The Commission finds Working Assets’ Certificate of Convenience and Authority to provide IXE services in Kansas should be revoked.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Working Assets Funding Service, Inc.’s, Certificate of Convenience and Authority to provide IXE services in Kansas is hereby revoked.

B. Vantage Point Solutions shall remove the Company's name from its active KUSF files and shall maintain its records in such a manner that in the event any monies due to the KUSF are ever paid, the files can reflect receipt of these monies paid.

C. 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).³

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 10/28/2025



Celeste Chaney-Tucker
Executive Director

BWB

³ 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: Drennan Dolsky, Telecommunications Analyst
Steve Garrett, Deputy Chief of Telecommunications
Janet Buchanan, Deputy Director of Utilities
Justin Grady, Director of Utilities

DATE: October 15, 2025

RE: Docket No. 25-WAFC-460-SHO
In the Matter of a General Investigation of Working Assets Funding Service, Inc to Show Cause Why This Commission Should Not Levy Sanctions, Penalties, and Fines or Cancel, Suspend, or Revoke Any Authority the Carrier Holds for Non-Compliance with Kansas Statutes and Commission Orders.

EXECUTIVE SUMMARY

On August 14, 2025, the Kansas Corporation Commission (Commission) issued a Show Cause Order to Working Assets Funding Service, Inc. (Working Assets) for its failure to maintain compliance with its Kansas statutory and regulatory obligations as required by its Interexchange Carrier (IXC) Certificate. Working Assets did not respond to either the Order or Commission staff (Staff) within 30 days.

BACKGROUND

The Commission derives its authority and jurisdiction to supervise and control telecommunications public utilities from K.S.A. 66-1,188 and K.S.A. 66-2005(z). The Commission derives its authority to certificate and de-certificate public utilities from K.S.A. 66-131.

On July 28, 1992, Working Assets was granted a Certificate of Convenience and Authority (COC) to operate as an IXC service provider within the State of Kansas in Docket No. 93-WAFC-035-COC.

On July 14, 2025, Commission Staff submitted to the Commission a Report and Recommendation (R&R). The R&R sets forth a summary of Staff's investigation of Working Assets and enumerates filing and payment delinquencies, including: (1) its failure to submit the 2024 Annual Interrogatory (AI) Report to the Commission; (2) its non-compliance and delinquency with assessment payments

to Vantage Point Solutions (VPS), the Kansas Universal Service Fund (KUSF) Administrator; and (3) overdue invoices to the Commission. Based on its review, Staff advised the Commission to open a proceeding for the purpose of directing Working Assets to show cause why it should not be subject to sanctions, penalties and/or fines in addition to have its IXC authority suspended, canceled or revoked for failure to comply with its statutory and regulatory obligations.

K.S.A. 66-123 states “annual reports shall be filed on or before May 1 for the preceding calendar year unless otherwise specified by Commission Order or rule and regulation.” Public utilities that fail to comply with this statute “shall be subject to a civil penalty of not more than \$500.”

K.S.A. 66-138(a)(2) provides the Commission with authority to levy fines and penalties against a telecommunications carrier for violating statutes under which the Commission has a duty to act, refusing to comply or obey any lawful Commission requirement and failing to abide by any Commission order. A sum not less than \$100 and no more than \$5,000 may be assessed against a violator for each offense.

ANALYSIS

This R&R provides an update informing the Commission that Working Assets did not respond to the Show Cause Order dated July 14, 2025, within the 30-day period. The period ended on August 13, 2025. To Staff’s knowledge Working Assets has made zero contact with the Commission and is still out of compliance. As of the date of this R&R, there have been nearly six months (from May to October) that Working Assets has been out of compliance. Starting with the March 2025-February 2026 KUSF Fiscal Year 29, Working Assets failed to file the Company Identification and Operations form (“Attachment B” form) that was due to VPS on April 15, 2025. Staff also attempted to communicate with Working Assets regarding its missing AI Report that was due May 1, 2025. As an IXC, Working Assets is required to file an AI Report. The company does not have any customers because, according to a former consultant, Working Assets is no longer active as of December 2024.

Working Assets has been provided with adequate time to comply with the Commission’s Show Cause Order. In Staff’s previous R&R, which is attached to the August 14, 2025, Order in this docket, it was noted that Staff made numerous attempts to notify the company. Staff respectfully requests that Working Assets’ IXC certificate be revoked for failure to take any action to respond to the Show Cause Order.

RECOMMENDATION

Staff recommends the Commission revoke Working Assets’ COC to provide IXC telecommunication services for failure, neglect, or refusal to respond to the Show Cause Order.

Regarding Working Assets’ reporting obligations to the KUSF, Staff recommends that the Commission should authorize VPS to remove the company's name from its active KUSF files. It is possible that some monies might be retained in the KUSF, or attempts made to return the monies to the carrier. Therefore, the Commission should also direct VPS to maintain its records in such a manner that in the event any monies due to the KUSF are ever paid, the files can reflect receipt of these monies paid.

CERTIFICATE OF SERVICE

25-WAFC-460-SHO

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 10/28/2025.

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