

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

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

In the Matter of An Investigation to Determine)
the Assessment Rate and the Affordable Local) Docket No. 17-GIMT-008-GIT
Service Rate for Rate-of-Return Regulated)
Carriers for the Twenty-First Year of the)
Kansas Universal Service Fund, Effective)
March 1, 2017.)

**ORDER OPENING DOCKET; PROTECTIVE ORDER APPLICABLE TO CURB;
REQUIRING ENTRIES OF APPEARANCE TO ACTIVELY PARTICIPATE AND
ESTABLISHING PROCEDURAL SCHEDULE**

NOW, the above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed its files and records and being duly advised in the premises, the Commission makes the following findings:

I. The Kansas Universal Service Fund (KUSF) Year Twenty-One Assessment Rate

1. K.S.A. 66-2008(a) states: “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 (October 1, 2005), to contribute to the [Kansas Universal Service Fund (KUSF)] on an equitable and nondiscriminatory basis.” In Docket No. 94-GIMT-478-GIT¹, the Commission declared that the KUSF contribution would be assessed yearly on each provider’s intrastate retail revenues.

¹ Order, Dec. 27, 1996.

2. In order to calculate the KUSF assessment rate for the twenty-first year of KUSF operations (Year 21), which will be effective March 1, 2017, through February 28, 2018, the Commission requires United Telephone Companies of Kansas, d/b/a CenturyLink (CenturyLink) and each rural Local Exchange Carrier (RLEC) to submit certain data.

3. In order to determine sufficient KUSF support, K.S.A. 66-2005(e) requires the Commission to determine the affordable residential and single-line business rates for rate-of-return regulated LECs, effective March 2007 and every two years thereafter. The affordable residential rate is the weighted arithmetic mean of the residential local service rates, as of October 1, for RLECs and rate groups 1 through 3 for CenturyLink, weighted by the number of residential access lines to which each rate applies, rounded to the nearest quarter-dollar.² The affordable single-line business rate is the existing rate or an amount \$3.00 higher than the affordable residential rate, whichever is greater.³

4. K.S.A. 66-2005(e)(7) allows an RLEC to adopt a uniform rate for residential and single-line business local service, which rate shall be deemed an affordable rate under subsection (e) if the uniform rate generates an equal amount of revenue as that which would be generated by the separate residential and single-line affordable business rates.

5. K.S.A. 66-2005(e)'s provisions do not apply to RLECs that do not receive KUSF support; however, such RLECs' residential rates are included in the affordable rate calculation.

6. Commission Staff (Staff) submitted a Report and Recommendation (R&R) on July 28, 2016, attached hereto and made a part hereof by reference. Staff recommended that carriers submit their required data utilizing forms created by Staff labeled Attachments A and B, attached to the R&R and this Order. Staff also recommended a procedural schedule that would

² See K.S.A. 2013 Supp. 66-2005(e)(1).

³ See *Id.* at 66-2005(e)(2).

ensure sufficient time to review and analyze all filed data, review revenue and other data provided by the KUSF Administrator, perform all necessary calculations, and submit testimony to the Commission in order for the Commission to adopt the KUSF Year 21 assessment rate and affordable rates in a timely manner.

7. In order to determine the KUSF Year 21 assessment rate and affordable rates, Staff recommended that CenturyLink and the RLECs file their September 30, 2016, access line data and their October 1, 2016, residential and single-line business rates, by rate group, and resulting local revenue increases, no later than October 19, 2016.

8. Staff recommended Companies use Attachments A and B to this Order to file their data with the Commission:

<u>Attachment</u>	<u>Who Should File</u>
A	CenturyLink and the RLECs
B	CenturyLink

II. Procedural Schedule

9. Staff proposes a procedural schedule to govern this docket as follows:

<u>Date</u>	<u>Event</u>
October 19, 2016	Companies file data
December 20, 2016	Staff files Direct Testimony
January 4, 2017	Intervenors Testimony
January 10, 2017	Staff files Rebuttal Testimony, if needed
January 18, 2017	Evidentiary Hearing
January 2017	Order Adopting Year 21 Assessment

10. Staff also suggested that if a party becomes aware of any computational error in Staff's calculations, the party should notify Staff as soon as possible to allow Staff to determine whether the error is material, and if so, to file revised calculations.

III. Commission's Adoption of Staff's Recommendations

11. The Commission finds Staff's recommendations to be reasonable and hereby adopts the same. Companies shall file their information in the docket utilizing the forms provided by Staff referenced above, and shall adhere to the procedural schedule adopted herein. Failure to submit data in a timely manner may subject a Company to penalties. Companies shall submit electronic versions of the filed information, in Microsoft Excel format, to Staff at s.reams@kcc.ks.gov and c.aarnes@kcc.ks.gov. All parties shall contact Staff as soon as possible if they become aware of any computational error in Staff's calculations.

IV. Procedural Matters Regarding Electronic Service and Entries of Appearance

12. The Commission finds that all carriers contributing to, and all carriers receiving distributions from the KUSF, and Citizens' Utility Ratepayer Board (CURB), should be parties to this docket.

13. The Commission anticipates the number of carriers or entities that will want to be actively involved in this proceeding will be fewer than all carriers or entities being served with this Order. Active parties are those carriers or entities desiring to be involved in litigating issues to be identified and explored in this general investigation. Only those entities that participate as active parties in this docket will be served with pleadings, testimony, briefs, and procedural orders as this proceeding progresses; only active parties will be given notice of and allowed to participate in hearings, roundtables, or other sessions that are scheduled in this proceeding. An entity that desires to participate as an active party in this proceeding shall file an Entry of Appearance within fifteen (15) days of the issuance of this Order. Any carrier or entity that is served with this Order, and chooses not to participate as an active party, will not be served with pleadings, testimony, briefs, and procedural orders during litigation of this docket. If a carrier or entity does not file an Entry of Appearance in this proceeding, but later desires to become an

active party, that carrier or entity may do so by submitting a Late Filed Entry of Appearance and state whether it is willing to receive electronic service and, if so, provide an email address for service, as discussed above and below. All entities being served with this Order who choose not to enter an appearance will not be served with any further pleadings, testimony, briefs, and orders other than the Commission's Order on the assessment rate for KUSF Year 21. Upon receipt of the Commission's Order on the assessment rate, an entity that chose not to actively participate in this docket will be allowed to petition for reconsideration, but the entity will not be allowed to introduce new issues inasmuch as it was given notice of the adjudicative proceeding with service of this Order, but chose not to participate.

14. The Commission strongly urges active parties to this proceeding to consent to receipt of pleadings, testimony, briefs, and orders by electronic service without a hard-copy follow-up as required by K.A.R. 82-1-216(a)(6). A party may note its consent on its Entry of Appearance. Testimony, briefs, and other pleadings must be served electronically by 3:00 p.m. on the date due, without requiring service among the parties of a follow-up hard copy. However, the original and at least seven paper copies of testimony, briefs, and other pleadings must still be filed in the Commission's docket room by close of business on the date of the deadline. K.A.R. 82-1-215(a).⁴ Any electronic service of Commission or Prehearing Officer's orders without follow-up hard copies will specifically state in the electronic message serving the order that the electronic message constitutes service of the attached order and that a hard copy will not follow. Parties should provide the undersigned attorney of their current email address and must maintain accurate, current lists of electronic service email addresses based on information contained within the Commission's orders.

V. Protective Order Applicable Only to CURB

⁴This does not apply to parties who file using E-Filing EXPRESS. *See* 14-GIMX-280-MIS.

15. K.S.A. 66-1220a and K.A.R. 82-1-221a set forth requirements for the designation and treatment of information deemed confidential in Commission proceedings. The Commission finds it is appropriate to issue this Protective Order in order to establish procedures relating to confidential data and information.

16. K.S.A. 66-1220a limits disclosure of trade secrets or confidential commercial information of regulated utilities. Under K.S.A. 66-1220a(a)(4), the Commission must consider alternatives to disclosure that will serve the public interest and protect the regulated entity. This Protective Order provides an interim procedure under K.S.A. 66-1220a(a)(4) to facilitate the prompt and orderly conduct of this case. This Protective Order will govern the treatment and handling of confidential information until further order of the Commission.

17. A party may designate as confidential any information that it believes, in good faith, to be a trade secret or other confidential commercial information. The party designating the information as confidential must provide a written statement of the specific grounds for the designation at the time the designation is made.⁵ The party claiming confidentiality has the burden of proving the confidential status of the information. Designating information as confidential does not establish that the information will remain confidential after review by the Commission.⁶

18. The provisions of this Protective Order apply only to CURB. The provisions also apply to Staff, except that Staff is not required to sign nondisclosure certificates or view voluminous materials on site and is not required to return or destroy confidential information upon request at the conclusion of a proceeding. Outside experts and consultants used by Staff shall have access to information and voluminous materials on the same basis as Staff, except that

⁵ K.A.R. 82-1-221a(a)(5).

⁶ See K.S.A. 2014 Supp. 66-1220a.

outside Staff experts and consultants are required to read this Protective Order and to sign nondisclosure certificates as contained in Appendix A. CURB and outside experts and consultants used by Staff who do not sign a non-disclosure certificate will not be granted access to confidential information filed in this docket.

19. The following definitions shall apply:

Information: “Information” refers to all documents, data, including electronic data, studies and other materials furnished pursuant to requests for information or other modes or discovery, or any other information or documents that are otherwise a part of the Commission record.

Confidential Information: “Confidential information” refers to information which, if disclosed, would likely result in harm to a party’s economic or competitive interests or which would result in harm to the public interest, generally, and which is not otherwise available from public sources. “Confidential information” may include, but is not limited to: (1) material or documents that contain information relating directly to specific customers; (2) employee-sensitive information; (3) marketing analyses or other market-specific information relating to services offered in competition with others; (4) reports, work papers or other documentation related to work produced by internal or external auditors or consultants; (5) strategies employed, to be employed, or under consideration; (6) contract negotiations; and, (7) information concerning trade secrets, as well as private technical, financial, and business information.

20. A party designating information as confidential shall make the confidential information available to CURB, Staff, and/or outside experts and consultants used by Staff under the restrictions in this Protective Order, if such disclosure is not otherwise privileged or objectionable on other evidentiary grounds. The nondisclosure certificate shall contain the signatory’s name, permanent address, title or position, date signed, and an affirmation that the signer is acting on behalf of a party to this proceeding. The nondisclosure certificate shall be filed in the docket. The party claiming confidentiality shall provide legible copies of the confidential information to requesting parties by serving one copy upon counsel for the requesting party. The requesting party may copy the confidential information and make it

available to its authorized representatives who have signed and filed nondisclosure certificates. If a response to a discovery request requires the duplication of voluminous material, or the material is not easily copied because of its binding or size, the furnishing party may require that the voluminous material be viewed on its own premises. If duplication of voluminous material can be accomplished without undue burden on the party disclosing the information, the voluminous material may be copied at the expense of the requesting party. Voluminous material shall include documents or materials comprised of 500 pages or more.

21. A party may designate pre-filed testimony and exhibits as confidential pursuant to this Protective Order. The specific grounds for the confidential designation shall be stated in writing at the time the designation is made or the testimony filed. Any party obtaining confidential information may use or refer to such information in pre-filed or oral testimony provided that the confidentiality is maintained, unless otherwise ordered by the Commission.

22. If information to be disclosed in response to a data request contains confidential information designated by another party in this docket, the furnishing party shall maintain the confidential status by marking the information as confidential and only provide response to parties that have signed nondisclosure certificates. If information that a party intends to use in this proceeding or that would be disclosed in response to a data request contains confidential information obtained from a source outside of this proceeding, the party intending to use or provide the confidential information must notify the original source which claimed confidential status to allow that entity to decide whether to claim confidentiality in this proceeding.

23. When pleadings, pre-filed testimony, or exhibits include confidential information, the parties are to follow these procedures⁷:

⁷This does not apply to parties who file using E-Filing EXPRESS. *See* 14-GIMX-280-MIS.

- a. File seven copies of the complete document, including all confidential information. The cover is to clearly state "CONFIDENTIAL VERSION." Confidential pages shall be stamped "CONFIDENTIAL," and the specific confidential information shall be identified by being underlined.
- b. File one copy with the confidential portions redacted, for use as a public document. The cover is to clearly state "PUBLIC VERSION."
- c. File one copy of the pages that contain confidential information in a separate envelope marked "CONFIDENTIAL." This filing will be maintained in the docket room file under seal. If there are multiple pages with confidential information and it is impracticable to separate the pages with the confidential information, the party may file instead one copy of the entire document that is stamped "CONFIDENTIAL."

24. Confidential testimony may be offered or subject to cross-examination at hearings. Parties have the right to object to the admissibility of confidential information on standard evidentiary grounds such as relevance. Confidential information that is received into evidence will be kept under seal. Confidential information shall be discussed only after the hearing is closed to all persons except the Commission, its Staff, hearing examiners, court reporters, attorneys of record and individuals to whom the designated information is available under the terms of this Protective Order. Parties shall make every effort at hearings to ask and answer questions in such a way as to preserve the confidentiality of the information without the need to close the hearing. The transcript of live testimony or oral argument disclosing confidential information shall be kept under seal and copies provided only to persons entitled to access to confidential information. Neither the parties nor their attorneys shall disclose or provide copies of the contents of such transcripts to anyone other than those who may have access to the designated information under the terms of this Protective Order.

25. If a party disagrees with a claim that information is confidential or should not be disclosed, the parties shall first attempt to resolve the dispute on an informal basis. If the parties cannot resolve the dispute informally, the party contesting the confidential treatment may file a

motion with the Commission. Commission Staff is also prepared to challenge a confidential designation when Staff believes that the information does not meet the definition of confidential information. When a dispute concerning the confidentiality is brought before the Commission, the Commission will review the matter to determine: (1) if the party claiming confidentiality has met its burden of establishing the confidential designation is proper, and (2) whether disclosure is warranted under K.S.A. 66-1220a. The contested information shall not be disclosed pending the Commission's ruling.

26. All persons who are afforded access to confidential information under the terms of this Protective Order shall neither use nor disclose such information for purposes of business or competition or any other purpose other than the purpose of preparation for and litigation of this proceeding. During the course of this proceeding, parties shall keep confidential information secure in accordance with the purposes and intent of this order. At the conclusion of this proceeding, including judicial review, a party claiming that information was confidential may require that other persons in possession of its confidential information return or destroy all such confidential information and all notes, tapes, documents, and any other medium containing, summarizing, or otherwise embodying such confidential information. If the party claiming confidentiality requests destruction, the person destroying the information shall certify its destruction. Counsel shall be entitled to retain memoranda or pleadings including or embodying confidential information to the extent reasonably necessary to preserve a file on this proceeding.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Carriers shall file, in this Docket, their required Attachments and supporting documentation by October 19, 2016. Companies shall provide electronic versions of the filed Attachments, in Microsoft Excel format, and a copy of the supporting documentation to Staff at

s.reams@kcc.ks.gov and c.aarnes@kcc.ks.gov. A carrier not submitting data in a timely manner may be subject to penalty, pursuant to K.S.A. 66-138.

B. With respect to service of process, the Commission waives the requirement that the Attachments and supporting documentation filed in this Docket be served upon all the parties. Parties need only file the Attachments and supporting documentation and serve them upon the Commission.

C. Staff's proposed procedural schedule is adopted. Parties are directed to inform Staff as soon as possible if they become aware of any computation error, thus allowing Staff to timely file revised calculations, if necessary.

D. The parties have fifteen (15) days, plus three (3) days if mailed service, from the date this order was served in which to petition for reconsideration. K.S.A. 66-118b; K.S.A. 77-529(a)(1).

E. The Commission retains jurisdiction over the subject matter and parties for the purpose of issuing such further orders, as necessary.

BY THE COMMISSION IT IS SO ORDERED.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: AUG 16 2016



Amy L. Gilbert
Secretary to the Commission

AAL

EMAILED

AUG 16 2016

APPENDIX A

Docket No. 17-GIMT-008-GIT

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

NONDISCLOSURE CERTIFICATE OF CURB

I, _____, have been presented a copy of the Protective Order issued in Docket No. 17-GIMT-008-GIT on the _____ day of _____, 20____.

I have requested review of confidential information produced in the above-mentioned docket on behalf of _____.

I hereby certify that I have read the above-mentioned Protective Order and agree to abide by its terms and conditions.

Dated this _____ day of _____, 20____.

Printed name and title

Signature

Party/Employer

Address (City, State and ZIP)

Telephone

Facsimile

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

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

FROM: Sandy Reams, Assistant Chief of Telecommunications
Christine Aarnes, Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: July 28, 2016

SUBJECT: Docket Number: 17-GIMT-008-GIT
In the Matter of An Investigation to Determine the Assessment Rate and the Affordable Local Service Rate for Rate-of-Return Regulated Carriers for the Twenty-First Year of the Kansas Universal Service Fund, Effective March 1, 2017.

EXECUTIVE SUMMARY:

Staff recommends the Commission open a proceeding to address the Kansas Universal Service Fund (KUSF) assessment rate and the statewide affordable residential and single-line business rates for the rate-of-return rural local exchange carriers (RLECs) for the twenty-first year of the KUSF, effective March 1, 2017, through February 28, 2018 (Year 21). Staff also recommends the Commission:

1. direct each RLEC to complete and file Attachment A and supporting access line documentation in the Docket, with an electronic copy provided to Staff, no later than October 19, 2016;
2. direct the United Telephone Companies of Kansas d/b/a CenturyLink (CenturyLink) to complete and file Attachments A and B, its Connect America Fund Phase II (CAF II) support offset model and calculation, and supporting access line documentation in the Docket and provide an electronic copy to Staff¹ no later than October 19, 2016 ; and
3. adopt the proposed procedural schedule set forth in this Report.

¹ An electronic copy should be provided to Sandy Reams at s.reams@kcc.ks.gov and Christine Aarnes at c.aarnes@kcc.ks.gov.

Staff also recommends the Commission remind the companies they may be subject to penalties if the data is not filed or provided to Staff in a timely manner and direct any party that becomes aware of a computational error within Staff's testimony to contact Staff as soon as possible to allow Staff to determine whether the error is material enough to impact its calculations and, if necessary, file revised calculations.

BACKGROUND:

Each year, the Commission opens a Docket to determine the KUSF assessment rate for the new fiscal year and, for odd-numbered years; the affordable residential and single-line business rates for the RLECs.

The KUSF support for competitive Eligible Telecommunications Carriers (ETCs) is being phased-down to zero through an annual twenty-percent (20%) reduction. This means a competitive ETC does not need to file any data related to its Year 21 KUSF support.

CenturyLink's Year 21 KUSF support will be based on its September 30, 2016, KUSF support-eligible lines, the high-cost model,² and the Connect America Fund Phase II (CAF II) support received by the Company. The Company will need to remit this data to the Commission.

An RLEC's Year 21 KUSF support will be based on its current annual KUSF support, adjusted for: (1) an increase in its local service revenues pursuant to K.S.A. 66-2005(d) and (e); (2) an increase or reduction in its intrastate access revenues consistent with K.S.A. 66-2005(c) and the Federal Communications Commission's (FCC) intercarrier compensation reforms;³ and (3) an increase or decrease in its annual KUSF support as determined in a company-specific audit. There are no company-specific RLEC audits pending before the Commission.

K.S.A. 66-2005(d) authorizes an RLEC to increase its local service rates to the statewide rural telephone company average rate. An RLEC's annual KUSF support is reduced by the calculated increase in its local service revenue. Such a reduction must be imputed even if an RLEC elects to maintain local service rates below the statewide rural telephone company average rates.

K.S.A. 66-2005(e), effective March 2007 and every two years thereafter, requires the Commission, in determination of a sufficient level of KUSF support, to determine the affordable residential and single-line business rates for the RLECs. The affordable rates are calculated pursuant to K.S.A. 66-2005(e)(1) and 66-2005(e)(2), which provide the affordable residential rate must be determined using the weighted arithmetic mean of the October 1st residential local service rates in all exchanges served by the RLECs and

² The high-cost model was adopted by the Commission in Docket No. 99-GIMT-326-GIT.

³ See *In the Matter of a General Investigation Into the Adjustment of Intrastate Switched Access Charges for Rural Telephone Companies in Compliance with K.S.A 66-2005(c) and FCC Reforms*, Docket No. 16-GIMT-587-GIT.

CenturyLink's exchanges in rate groups 1 through 3,⁴ rounded to the nearest quarter-dollar. An RLEC is authorized to increase its local service rates a maximum of \$2.00 per year per K.S.A. 66-2005(e)(1)(C). K.S.A. 66-2005(e)(2) states that the affordable single-line business rate is an RLEC's existing rate or an amount \$3.00 higher than the affordable residential rate, whichever is greater.

Consistent with K.S.A. 66-2005(e)(5), if an RLEC increases a local service rate after February 20, 2002, pursuant to K.S.A. 66-2007(b), the RLEC's affordable rates are increased by an amount equal to the rate increase authorized pursuant to K.S.A. 66-2007(b). K.S.A. 66-2005(e)(7) allows an RLEC to adopt a uniform residential and single-line business rate, or the same rate for both services. For purposes of this subsection, the uniform rate is deemed affordable if the rate generates an amount of revenue equal to the revenue that would have been generated had the RLEC implemented the separate affordable rates for residential and single-line business service. Lastly, K.S.A. 66-2005(e)(8) states this subsections' provisions do not apply to an RLEC not receiving KUSF support.

The current residential service affordable rate for the RLECs is \$17.00 and the affordable rate for single-line business service is \$20.00.⁵ CenturyLink's residential rate for rate groups 1 through 3 is \$18.08.⁶

Home Telephone Company, Inc. (Home), Pioneer Communications (Pioneer), Totah Telephone Company, Inc. (Totah), and United Telephone Association, Inc. (UTA) have uniform residential and business service rates. Bluestem Telephone Company (Bluestem), FairPoint Communications-Missouri (FairPoint), MoKan Dial, Inc. (MoKan), and Sunflower Telephone Company (Sunflower) have residential rates lower than the \$17.00 affordable residential rate. Bluestem, FairPoint, MoKan, Sunflower, and Haviland Telephone Company (Haviland) do not receive KUSF support.

Due to the short period of time between when companies file their rate and access line data and Staff files direct testimony supporting its proposed KUSF Year 21 assessment and affordable rates, Staff calculated the preliminary March 1, 2017, affordable rates. Based on the RLECs' and CenturyLink's July 1, 2016, residential rates and December 31, 2015, access lines as reported in the companies' Annual Reports, the affordable rates will increase \$.25 March 1, 2017. As shown in Table 1 below, the preliminary weighted average residential rate is \$17.34, which is rounded to \$17.25. This means the preliminary affordable business rate is \$20.25.

⁴ CenturyLink's rate groups 1- 3 include, in general, exchanges with 2,500 lines or less.

⁵ *In the Matter of An Investigation to Determine the Assessment Rate and the Affordable Local Service Rate for Rate-of-Return Regulated Carriers for the Nineteenth Year of the Kansas Universal Service Fund, Effective March 1, 2015*, Docket No. 15-GIMT-073-GIT, January 15, 2015, Order Adopting Assessment Rate and Affordable Local Service Rate.

⁶ *In the Matter of United Telephone Companies of Kansas d/b/a CenturyLink Filing Tariff Revisions for Monthly Rate Increases for All Residential Flat Rate Access Lines and Various Solutions Packages*, Docket No. 15-UTDT-145-TAR, October 23, 2014, Order Approving Tariff Revisions.

Table 1: Preliminary Affordable Rates

Company or Group	Residential Rate	Percent of Lines
RLECs	\$16.95	66%
CenturyLink	18.08	34%
Weighted Average Rate	\$17.34	100%
Residential Affordable Rate	\$17.25	
Business Affordable Rate	\$20.25	

Historically, the Order opening the annual KUSF Docket requires companies receiving KUSF support to submit their current year's September 30th access line data, preliminary KUSF support calculations, and supporting documentation in the Docket and provide copies of the data to Staff. This data is generally due in mid-October.

ANALYSIS:

To calculate the affordable rates to be effective March 1, 2017, Staff will need to know the RLECs' and CenturyLink's September 30, 2016, residential and business lines, by rate group, and their October 1, 2016, residential and business rates. Staff will also need to determine the increase in local service revenues and offsetting KUSF adjustment for each RLEC, also to be effective March 1, 2017. This calculation will rely on the RLECs reporting this data based on the preliminary \$17.25 monthly residential rate and the \$20.25 business rate.

Staff has included the following forms with this Report to gather this information:

- Attachment A requests company information and access lines, by category, as of September 30, 2016, and should be filed by each RLEC and CenturyLink; and
- Attachment B contains the high-cost KUSF support model data for CenturyLink and should be filed by CenturyLink.

These forms have been attached to prior Commission Orders opening the annual KUSF docket. This data will allow Staff to calculate the affordable local service rates for the RLECs, determine the calculated local service revenue increase for an RLEC, and the corresponding reduction to an RLEC's annual KUSF support, effective March 1, 2017. This data will also allow Staff to determine the Year 21 KUSF support for CenturyLink.

Staff will need sufficient time to: (1) review and analyze the data; (2) review revenue, revenue projections, and other data provided by GVNW Consulting, Inc., the KUSF administrator; (3) perform all necessary KUSF Year 21 assessment rate and affordable rate calculations; and (4) submit testimony supporting its calculations.

Intervenors should be allowed to file rebuttal testimony, with such testimony filed at least

ten (1) days prior to a scheduled hearing.⁷ Additionally, to allow companies time to revise their billing systems, the Commission generally issues an Order adopting the new KUSF assessment rate and affordable rates in January. Staff, therefore, suggests the following procedural schedule:

<u>Description</u>	<u>Proposed Date</u>
Companies file data	October 19, 2016
Staff Direct Testimony	December 20, 2016
Intervenor Testimony	January 4, 2017
Staff Rebuttal Testimony, if necessary	January 10, 2017
Evidentiary Hearing, if necessary	January 18, 2017
Order Adopting Year 21 Rates	January 2017

RECOMMENDATION:

Staff recommends the Commission: (1) issue an Order to open a Docket to address the Year 21 KUSF assessment rate and affordable local service rates for the RLECs; (2) enclose Attachments A and B with the Order; (3) direct the RLECs to file Attachment A and supporting documentation in the Docket and provide an electronic copy to Staff on or before October 19, 2016; and (4) direct CenturyLink to file Attachments A and B, its CAF II model and support offset, and supporting documentation in the Docket and provide an electronic copy to Staff no later than October 19, 2016.

Staff recommends that the Commission adopt the proposed procedural schedule and remind the companies that they may be subject to penalties if their data is not filed or provided to Staff in a timely manner. Staff further recommends that all parties be reminded they are to contact Staff as soon as possible if they become aware of any computational error in Staff's calculations to allow Staff to determine whether the error is material, and if so, file revised calculations.

Attachments

⁷ K.A.R. 82-1-229.

Company Information

Company Name: _____

KUSF Carrier Identification Code: KS0000

Street: _____

Contact Name: _____

E-Mail Address: _____

Company Officer/Title: _____

Submission Date: _____

City/State/Zip: _____

Contact Phone #: _____

For Quarter-Ended: 9/30/2016

Signature: _____

KUSF
Annual Line Update
(RLECs and CenturyLink)

Line	Description	No. Lines
1	Residential Lines as of 9/30/2016:	
2	Residential - City	_____
3	Residential - Rural	_____
4	Residential - Concession	_____
5	Residential - Other	_____
6	Total Residential Lines	<u> - </u>
7	Business Lines as of 9/30/2016:	
8	Single-Line Business	_____
9	Multi-Line Business	_____
10	Concession Lines	_____
11	Key Lines	_____
12	Lines terminating in PBX, Centrex, or Hunt Group	_____
13	Primary Line Interface Arrangments (Each PRI = 5 lines)	_____
14	Company Official	_____
15	Payphones:	_____
16	Company Owned	_____
17	Non-Company Owned	_____
18	Other (Please Describe)	_____
19	Total Business Lines	<u> - </u>
20	Total Lines (Line 6 + Line 19)	<u> - </u>

Company: _____

Instructions: If your company has a local residential rate less than \$17.25 and/or a single-line business rate less than \$20.25; report the number of lines and local rate, as of September 30th and October 1st, 2016, respectively. If your company has more than 1 rate group, list each rate group separately. (K.S.A. 66-2005).
Maximum Rate increase is \$2.00 per line per year.

RESIDENCE					
Current Rate Level Sept. 30, 2016 (a)	Monthly Rate Increase (b)	New Rate Level March 1, 2017 (c = a + b)	Number Lines Sept. 30, 2016 (d)	Rev/Month e=(b x d)	Rev/Yr. f=(e x 12)
	\$ -	\$ -		\$ -	\$ -
	\$ -	\$ -		\$ -	\$ -
	\$ -	\$ -		\$ -	\$ -
Total-Residential			-	\$ -	\$ -

BUSINESS (Excludes Company-Official Lines)					
Current Rate Level Sept. 30, 2016 (a)	Monthly Rate Increase (b)	New Rate Level March 1, 2017 (c = a + b)	Number Lines Sept. 30, 2016 (d)	Rev/Month e=(b x d)	Rev/Yr. f=(e x 12)
		\$ -		\$ -	\$ -
		\$ -		\$ -	\$ -
		\$ -		\$ -	\$ -
Total Business			-	\$ -	\$ -

Grand Total: Residence & Business			
		Rev/Month	Rev/Yr.
Residential Total		\$ -	\$ -
Business Total		-	-
Total: Residence & Business		\$ -	\$ -

ACCESS LINE DEFINITIONS

<u>Category:</u>	<u>Comments</u>
Residential Lines	Retail residential lines billed a EUCL. Lines qualifying for KUSF support must be located in a "high-cost" area as determined by the Commission (RLEC study area, or CenturyLink study areas at the wire center or zone level, as identified by the high-cost model adopted in Docket 99-GIMT-326-GIT
Business Lines	Retail single-line and multi-line business lines billed a EUCL. KUSF support eligible lines must be located in a "high-cost" area as determined by the Commission. (RLEC study areas or CenturyLink wire centers and zones, identified by the high-cost model adopted in Docket No. 99-GIMT-326-GIT).
Company-Official Lines	Lines that do not produce end-user revenues and not subject to KUSF assessment. Do not qualify for KUSF support.
Key Lines, PBX, Centrex, Hunt Lines	All Key Lines and Lines terminating in a Centrex, PBX, or Hunt Group are assessable lines. Do not qualify for KUSF support.
Concession Lines	Concession Lines may be assessed the KUSF percentage rate on revenues billed. Eligible for KUSF support on a pro-rated basis based on monthly local service charge (e.g. 20 residential concession lines billed 50% of monthly local service rate qualify for 50% of KUSF support and would be reported as 10 lines).
Payphones	All coin lines, including access lines to the company's own payphones or payphones owed by other providers. (Docket 01-GIMT-235-GIT).
Primary Rate Interface (PRI) Arrangements	Consist of 24 channels (23 B channels plus one D channel for signaling) & generally used by large businesses in a PBX-type setting and therefore, treated like PBX, Centrex, and other Hunt
Other Lines	May include: one-way (Internet, Fire, alarm), Kansas non-jurisdictional, or other lines. Please describe lines reported in this category. Lines that do not provide 2-way voice grade service or that are not subject to the KCC's jurisdiction are not eligible for KUSF support or subject to the KUSF assessment.

Notes:

See also Docket No. 10-GIMT-667-GIT, September 24, 2010, Order.

Calculation of Gross
KUSF Support
CenturyLink study areas

Company: _____

Wire Center	Study Area	As of September 30, 2015						As of September 30, 2016					
		ZONE 1			ZONE 2			ZONE 1			ZONE 2		
		Total Supported Lines	KUSF Support (Monthly)	KUSF Support (Annual)	Total Supported Lines	Per Line Support (Monthly)	KUSF Support (Annual)	Total Supported Lines	Per Line Support (Monthly)	KUSF Support (Annual)	Total Supported Lines	Per Line Support (Monthly)	KUSF Support (Annual)
Alta Vista	Eastern	\$	18.19	\$ -	\$	100.01	\$ -	\$	18.19	\$ -	\$	100.01	\$ -
Altoona	Eastern	\$	21.80	\$ -	\$	91.96	\$ -	\$	21.80	\$ -	\$	91.96	\$ -
Belle Plaine	Eastern	\$	-	\$ -	\$	31.13	\$ -	\$	-	\$ -	\$	31.13	\$ -
Benedict	Eastern	\$	-	\$ -	\$	117.03	\$ -	\$	-	\$ -	\$	117.03	\$ -
Blue Mound	Eastern	\$	40.47	\$ -	\$	114.80	\$ -	\$	40.47	\$ -	\$	114.80	\$ -
Bucyrus	Eastern	\$	-	\$ -	\$	39.07	\$ -	\$	-	\$ -	\$	39.07	\$ -
Buffalo	Eastern	\$	-	\$ -	\$	70.97	\$ -	\$	-	\$ -	\$	70.97	\$ -
Centropolis	Eastern	\$	-	\$ -	\$	69.73	\$ -	\$	-	\$ -	\$	69.73	\$ -
Circleville	Eastern	\$	34.46	\$ -	\$	90.67	\$ -	\$	34.46	\$ -	\$	90.67	\$ -
Conway	Eastern	\$	-	\$ -	\$	98.49	\$ -	\$	-	\$ -	\$	98.49	\$ -
Coyville	Eastern	\$	-	\$ -	\$	88.71	\$ -	\$	-	\$ -	\$	88.71	\$ -
Delia	Eastern	\$	-	\$ -	\$	84.53	\$ -	\$	-	\$ -	\$	84.53	\$ -
Denison	Eastern	\$	29.99	\$ -	\$	84.00	\$ -	\$	29.99	\$ -	\$	84.00	\$ -
Durham	Eastern	\$	-	\$ -	\$	103.19	\$ -	\$	-	\$ -	\$	103.19	\$ -
Easton	Eastern	\$	7.74	\$ -	\$	43.71	\$ -	\$	7.74	\$ -	\$	43.71	\$ -
Edgerton	Eastern	\$	-	\$ -	\$	21.98	\$ -	\$	-	\$ -	\$	21.98	\$ -
Effingham	Eastern	\$	4.01	\$ -	\$	59.56	\$ -	\$	4.01	\$ -	\$	59.56	\$ -
Emmett	Eastern	\$	39.17	\$ -	\$	93.49	\$ -	\$	39.17	\$ -	\$	93.49	\$ -
Fall River	Eastern	\$	-	\$ -	\$	68.10	\$ -	\$	-	\$ -	\$	68.10	\$ -
Fontana	Eastern	\$	-	\$ -	\$	47.58	\$ -	\$	-	\$ -	\$	47.58	\$ -
Gardner	Eastern	\$	-	\$ -	\$	3.08	\$ -	\$	-	\$ -	\$	3.08	\$ -
Greeley	Eastern	\$	8.04	\$ -	\$	66.26	\$ -	\$	8.04	\$ -	\$	66.26	\$ -
Gridley	Eastern	\$	14.80	\$ -	\$	109.86	\$ -	\$	14.80	\$ -	\$	109.86	\$ -
Harveyville	Eastern	\$	24.75	\$ -	\$	82.47	\$ -	\$	24.75	\$ -	\$	82.47	\$ -
Heston	Eastern	\$	-	\$ -	\$	17.30	\$ -	\$	-	\$ -	\$	17.30	\$ -
Hoyt	Eastern	\$	5.81	\$ -	\$	45.96	\$ -	\$	5.81	\$ -	\$	45.96	\$ -
Inman	Eastern	\$	-	\$ -	\$	42.76	\$ -	\$	-	\$ -	\$	42.76	\$ -
Lafontaine	Eastern	\$	-	\$ -	\$	125.45	\$ -	\$	-	\$ -	\$	125.45	\$ -
Lancaster	Eastern	\$	4.09	\$ -	\$	51.05	\$ -	\$	4.09	\$ -	\$	51.05	\$ -
Lane	Eastern	\$	-	\$ -	\$	32.96	\$ -	\$	-	\$ -	\$	32.96	\$ -
Lebo	Eastern	\$	2.99	\$ -	\$	77.37	\$ -	\$	2.99	\$ -	\$	77.37	\$ -
Lehigh	Eastern	\$	41.68	\$ -	\$	117.10	\$ -	\$	41.68	\$ -	\$	117.10	\$ -
Leroy	Eastern	\$	17.48	\$ -	\$	111.73	\$ -	\$	17.48	\$ -	\$	111.73	\$ -
Linwood	Eastern	\$	8.12	\$ -	\$	29.30	\$ -	\$	8.12	\$ -	\$	29.30	\$ -
Mapleton	Eastern	\$	-	\$ -	\$	93.54	\$ -	\$	-	\$ -	\$	93.54	\$ -
Mayetta	Eastern	\$	16.87	\$ -	\$	51.20	\$ -	\$	16.87	\$ -	\$	51.20	\$ -
McClouth	Eastern	\$	3.77	\$ -	\$	50.21	\$ -	\$	3.77	\$ -	\$	50.21	\$ -
Meriden	Eastern	\$	1.17	\$ -	\$	28.18	\$ -	\$	1.17	\$ -	\$	28.18	\$ -
Michigan Valley	Eastern	\$	-	\$ -	\$	86.39	\$ -	\$	-	\$ -	\$	86.39	\$ -
Mound City	Eastern	\$	1.71	\$ -	\$	53.47	\$ -	\$	1.71	\$ -	\$	53.47	\$ -
Neosho Falls	Eastern	\$	-	\$ -	\$	93.55	\$ -	\$	-	\$ -	\$	93.55	\$ -
Nortonville	Eastern	\$	5.83	\$ -	\$	57.07	\$ -	\$	5.83	\$ -	\$	57.07	\$ -
Osage City	Eastern	\$	-	\$ -	\$	37.89	\$ -	\$	-	\$ -	\$	37.89	\$ -
Overbrook	Eastern	\$	1.30	\$ -	\$	54.24	\$ -	\$	1.30	\$ -	\$	54.24	\$ -
Oxford	Eastern	\$	-	\$ -	\$	49.26	\$ -	\$	-	\$ -	\$	49.26	\$ -

NOTES:

Listed Wirecenters Receive KUSF Support, which is then reduced by the applicable Federal USF offset.

Calculation of Gross
KUSF Support
CenturyLink study areas

Company: _____

Wire Center	Study Area	As of September 30, 2015						As of September 30, 2016					
		ZONE 1			ZONE 2			ZONE 1			ZONE 2		
		Total Supported Lines	KUSF Support (Monthly)	KUSF Support (Annual)	Total Supported Lines	Per Line Support (Monthly)	KUSF Support (Annual)	Total Supported Lines	Per Line Support (Monthly)	KUSF Support (Annual)	Total Supported Lines	Per Line Support (Monthly)	KUSF Support (Annual)
Ozawkie	Eastern	\$	7.56	\$ -	\$	38.45	\$ -	\$	7.56	\$ -	\$	38.45	\$ -
Parker	Eastern	\$	12.16	\$ -	\$	67.36	\$ -	\$	12.16	\$ -	\$	67.36	\$ -
Perry	Eastern	\$	0.15	\$ -	\$	36.68	\$ -	\$	0.15	\$ -	\$	36.68	\$ -
Piqua	Eastern	\$	-	\$ -	\$	117.23	\$ -	\$	-	\$ -	\$	117.23	\$ -
Princeton	Eastern	\$	8.28	\$ -	\$	67.05	\$ -	\$	8.28	\$ -	\$	67.05	\$ -
Quincy	Eastern	\$	-	\$ -	\$	243.23	\$ -	\$	-	\$ -	\$	243.23	\$ -
Richmond	Eastern	\$	9.84	\$ -	\$	69.69	\$ -	\$	9.84	\$ -	\$	69.69	\$ -
Rossville	Eastern	\$	-	\$ -	\$	45.52	\$ -	\$	-	\$ -	\$	45.52	\$ -
Silver Lake	Eastern	\$	-	\$ -	\$	27.20	\$ -	\$	-	\$ -	\$	27.20	\$ -
Spring Hill	Eastern	\$	0.41	\$ -	\$	21.46	\$ -	\$	0.41	\$ -	\$	21.46	\$ -
St. Marys	Eastern	\$	-	\$ -	\$	15.95	\$ -	\$	-	\$ -	\$	15.95	\$ -
Thayer	Eastern	\$	11.90	\$ -	\$	75.96	\$ -	\$	11.90	\$ -	\$	75.96	\$ -
Toronto	Eastern	\$	14.09	\$ -	\$	80.33	\$ -	\$	14.09	\$ -	\$	80.33	\$ -
Walton	Eastern	\$	12.47	\$ -	\$	70.57	\$ -	\$	12.47	\$ -	\$	70.57	\$ -
Wellsville	Eastern	\$	-	\$ -	\$	41.21	\$ -	\$	-	\$ -	\$	41.21	\$ -
Winchester	Eastern	\$	1.11	\$ -	\$	60.84	\$ -	\$	1.11	\$ -	\$	60.84	\$ -
Windom	Eastern	\$	-	\$ -	\$	60.58	\$ -	\$	-	\$ -	\$	60.58	\$ -
Abbeyville	S. Central	\$	-	\$ -	\$	59.22	\$ -	\$	-	\$ -	\$	59.22	\$ -
Alden	S. Central	\$	27.44	\$ -	\$	45.06	\$ -	\$	27.44	\$ -	\$	45.06	\$ -
Arlington	S. Central	\$	10.55	\$ -	\$	71.51	\$ -	\$	10.55	\$ -	\$	71.51	\$ -
Belpre	S. Central	\$	-	\$ -	\$	72.04	\$ -	\$	-	\$ -	\$	72.04	\$ -
Claffin	S. Central	\$	6.34	\$ -	\$	75.04	\$ -	\$	6.34	\$ -	\$	75.04	\$ -
Cunningham	S. Central	\$	15.68	\$ -	\$	109.55	\$ -	\$	15.68	\$ -	\$	109.55	\$ -
Hoisington	S. Central	\$	-	\$ -	\$	49.76	\$ -	\$	-	\$ -	\$	49.76	\$ -
Hudson	S. Central	\$	-	\$ -	\$	57.73	\$ -	\$	-	\$ -	\$	57.73	\$ -
Langdon	S. Central	\$	-	\$ -	\$	67.61	\$ -	\$	-	\$ -	\$	67.61	\$ -
Macksville	S. Central	\$	-	\$ -	\$	43.76	\$ -	\$	-	\$ -	\$	43.76	\$ -
Murdock	S. Central	\$	-	\$ -	\$	92.68	\$ -	\$	-	\$ -	\$	92.68	\$ -
Partridge	S. Central	\$	13.29	\$ -	\$	64.25	\$ -	\$	13.29	\$ -	\$	64.25	\$ -
Preston	S. Central	\$	-	\$ -	\$	87.12	\$ -	\$	-	\$ -	\$	87.12	\$ -
Pretty Prairie	S. Central	\$	9.13	\$ -	\$	70.83	\$ -	\$	9.13	\$ -	\$	70.83	\$ -
St. John	S. Central	\$	0.42	\$ -	\$	73.11	\$ -	\$	0.42	\$ -	\$	73.11	\$ -
Sterling	S. Central	\$	-	\$ -	\$	33.26	\$ -	\$	-	\$ -	\$	33.26	\$ -
Sylvia	S. Central	\$	-	\$ -	\$	48.80	\$ -	\$	-	\$ -	\$	48.80	\$ -
Riverton	South East	\$	5.38	\$ -	\$	36.70	\$ -	\$	5.38	\$ -	\$	36.70	\$ -
Scammon	South East	\$	2.06	\$ -	\$	28.18	\$ -	\$	2.06	\$ -	\$	28.18	\$ -
Alma	United	\$	-	\$ -	\$	63.41	\$ -	\$	-	\$ -	\$	63.41	\$ -
Altamont	United	\$	0.82	\$ -	\$	57.60	\$ -	\$	0.82	\$ -	\$	57.60	\$ -
Baldwin	United	\$	-	\$ -	\$	20.81	\$ -	\$	-	\$ -	\$	20.81	\$ -

NOTES:

Listed Wirecenters Receive KUSF Support, which is then reduced by the applicable Federal USF offset.

Company: _____

Wire Center	Study Area	As of September 30, 2015						As of September 30, 2016					
		ZONE 1			ZONE 2			ZONE 1			ZONE 2		
		Total Supported Lines	KUSF Support (Monthly)	KUSF Support (Annual)	Total Supported Lines	Per Line Support (Monthly)	KUSF Support (Annual)	Total Supported Lines	Per Line Support (Monthly)	KUSF Support (Annual)	Total Supported Lines	Per Line Support (Monthly)	KUSF Support (Annual)
Buhler	United	\$	-	\$	-	\$	26.31	\$	-	\$	-	\$	26.31
Burlingame	United	\$	-	\$	-	\$	27.66	\$	-	\$	-	\$	27.66
Burlington	United	\$	-	\$	-	\$	32.11	\$	-	\$	-	\$	32.11
Burton	United	\$	9.41	\$	-	\$	82.62	\$	9.41	\$	-	\$	82.62
Ellinwood	United	\$	-	\$	-	\$	37.54	\$	-	\$	-	\$	37.54
Eskridge	United	\$	-	\$	-	\$	95.25	\$	-	\$	-	\$	95.25
Fredonia	United	\$	-	\$	-	\$	4.78	\$	-	\$	-	\$	4.78
Garnett	United	\$	-	\$	-	\$	21.33	\$	-	\$	-	\$	21.33
Haven	United	\$	-	\$	-	\$	9.16	\$	-	\$	-	\$	9.16
Highland	United	\$	-	\$	-	\$	21.49	\$	-	\$	-	\$	21.49
Hillsboro	United	\$	-	\$	-	\$	13.26	\$	-	\$	-	\$	13.26
Kincaid	United	\$	-	\$	-	\$	54.52	\$	-	\$	-	\$	54.52
Lyndon	United	\$	-	\$	-	\$	28.81	\$	-	\$	-	\$	28.81
Melvern	United	\$	-	\$	-	\$	60.74	\$	-	\$	-	\$	60.74
Moran	United	\$	7.46	\$	-	\$	72.61	\$	7.46	\$	-	\$	72.61
Morrill	United	\$	-	\$	-	\$	36.76	\$	-	\$	-	\$	36.76
Mound Valley	United	\$	15.01	\$	-	\$	78.78	\$	15.01	\$	-	\$	78.78
Oskaloosa	United	\$	-	\$	-	\$	26.07	\$	-	\$	-	\$	26.07
Oswego	United	\$	-	\$	-	\$	24.81	\$	-	\$	-	\$	24.81
Pomona	United	\$	-	\$	-	\$	28.28	\$	-	\$	-	\$	28.28
Powhattan	United	\$	-	\$	-	\$	51.81	\$	-	\$	-	\$	51.81
Quenemo	United	\$	-	\$	-	\$	111.32	\$	-	\$	-	\$	111.32
Troy	United	\$	-	\$	-	\$	45.65	\$	-	\$	-	\$	45.65
Valley Falls	United	\$	-	\$	-	\$	26.42	\$	-	\$	-	\$	26.42
Wathena	United	\$	2.68	\$	-	\$	45.16	\$	2.68	\$	-	\$	45.16
Waverly	United	\$	1.12	\$	-	\$	84.23	\$	1.12	\$	-	\$	84.23
Westphalia	United	\$	-	\$	-	\$	75.84	\$	-	\$	-	\$	75.84
White Cloud	United	\$	14.45	\$	-	\$	69.22	\$	14.45	\$	-	\$	69.22
Subtotal		-	\$	-	-	\$	-	-	\$	-	-	\$	-
Total Company		-	\$	-	-	\$	-	-	\$	-	-	\$	-

NOTES:
Listed Wirecenters Receive KUSF Support, which is then reduced by the applicable Federal USF offset.

CERTIFICATE OF SERVICE

17-GIMT-008-GIT

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of

Electronic Service on AUG 16 2018.

ANDREW SCHWANTNER, MANAGER-CONTRACT
COMPLIANCE
BIG RIVER TELEPHONE COMPANY, LLC
24 S MINNESOTA AVE 270
CAPE GIRARDEAU, MO 63703
Fax: 314-225-2235
noc@bigrivercom.com

CANDACE WRIGHT, CFO
BLUE VALLEY TELE-COMMUNICATIONS, INC.
1559 PONY EXPRESS HWY
HOME, KS 66438
Fax: 785-799-3530
cwright@bluevalley.net

JAMES T. BALVANZ
BOOMERANG WIRELESS, LLC
955 KACENA RD STE A
HIAWATHA, IA 52233
Fax: 319-294-6081
jbalvanz@readymobile.com

MICHAEL A. PIERCE, WIRELESS MANAGER
CELLULAR NETWORK PARTNERSHIP
D/B/A PIONEER CELLULAR
RON COMINGDEER & ASSOCIATES
6011 N ROBINSON
OKLAHOMA CITY, OK 73118
Fax: 405-375-0782
nekretchmar@ptci.com

PATRICIA CARROLL, GENERAL MANAGER
COLUMBUS TELEPHONE CO. INC.
224 S KANSAS AVE
COLUMBUS, KS 66725
Fax: 620-429-1704
tcarroll@columbus-telephone.com

CHRISTOPHER J. BUNCE, VP, LEGAL & GEN COUNSEL
BIRCH TELECOM OF KANSAS, INC.
2323 GRAND BLVD #925
KANSAS CITY, MO 64108-2670
Fax: 816-300-3350
chris.bunce@birch.com

JANA OLDFATHER
BLUESTEM TELEPHONE COMPANY, INC.
908 FRONTVIEW
PO BOX 199
DODGE CITY, KS 67801-0199
aptelem@fairpoint.com

RONALD MUNN, JR., CARRIER RELATIONS
BUDGET PREPAY, INC.
D/B/A BUDGET PHONE
1325 BARKSDALE BLVD STE 200
BOSSIER CITY, LA 71111
ronaldm@budgetprepay.com

LARRY GATES, UTILITIES DIRECTOR
CITY OF CHANUTE
101 SOUTH LINCOLN
MEMORIAL BLDG, PO BOX 907
CHANUTE, KS 66720
lgates@chanute.org

DALE JONES, GENERAL MANAGER
COUNCIL GROVE TELEPHONE COMPANY
PO BOX 299
COUNCIL GROVE, KS 66846
Fax: 316-767-5199
djones@tctainc.net

CERTIFICATE OF SERVICE

17-GIMT-008-GIT

ROB LOGSDON, DIRECTOR REGULATORY AFFAIRS**
COX KANSAS TELCOM, L.L.C.
D/B/A COX COMMUNICATIONS, INC
6301 WATERFORD BLVD STE 200
OKLAHOMA CITY, OK 73118-1161
Fax: 405-286-3501
rob.logsdon@cox.com

BRENT CUNNINGHAM, VICE PRESIDENT & GENERAL
MANAGER
CUNNINGHAM TELEPHONE COMPANY, INC.
220 W MAIN
PO BOX 108
GLEN ELDER, KS 67446
Fax: 785-545-3277
brent@ctctelephony.tv

PATRICK L. MORSE, SR VP - GOV AFFAIRS
FAIRPOINT COMMUNICATIONS MISSOURI, INC.
908 W FRONTVIEW
PO BOX 199
DODGE CITY, KS 67801
Fax: 620-227-8576
pmorse@fairpoint.com

BEAU REBEL, GENERAL MANAGER
GOLDEN BELT TELEPHONE ASSOCIATION.
103 LINCOLN ST
PO BOX 229
RUSH CENTER, KS 67575
Fax: 785-372-4210
brebel@gbta.net

ROBERT A. KOCH, PRESIDENT/GEN MGR
H&B CABLE SERVICE, INC.
108 N MAIN
PO BOX 108
HOLYROOD, KS 67450
Fax: 785-252-3229
robkoch@hbcomm.net

SUE A LEPPERT, ASSISTANT ACCOUNTANT
HAVILAND TELEPHONE COMPANY, INC.
104 N MAIN
PO BOX 308
HAVILAND, KS 67059
Fax: 620-862-7299
sue@havilandtelco.com

CRAIG WILBERT, GENERAL MANAGER
CRAW-KAN TELEPHONE COOPERATIVE, INC.
200 N OZARK
PO BOX 100
GIRARD, KS 66743
crwilbert@ckt.net

RELINDA SHOOK
ELKHART TELEPHONE COMPANY, INC.
610 S COSMOS
PO BOX 817
ELKHART, KS 67950
Fax: 620-697-9997
rshook@epictouch.com

DAVID SKOGEN, PRESIDENT/CEO
GLOBAL CONNECTION INC. OF AMERICA
5555 OAKBROOK PKWY STE 620
NORCROSS, GA 30093
Fax: 678-741-6333
dskogen@gcioa.com

MICHAEL J. MURPHY, PRESIDENT & MANAGER
GORHAM TELEPHONE COMPANY
100 MARKET
PO BOX 235
GORHAM, KS 67640
Fax: 785-637-5590
mmurphy@gorhamtel.com

ROBERT A. KOCH, PRESIDENT/GEN MGR
H&B COMMUNICATIONS, INC.
108 N MAIN
PO BOX 108
HOLYROOD, KS 67450
Fax: 785-252-3229
robkoch@hbcomm.net

RICHARD BALDWIN, PRESIDENT
HOME TELEPHONE COMPANY, INC.
211 S MAIN ST
BOX 8
GALVA, KS 67443
Fax: 620-654-3122
rbaldwin@homecomminc.com

CERTIFICATE OF SERVICE

17-GIMT-008-GIT

DANIEL P. FRIESEN, PRESIDENT
IDEATEK TELCOM, LLC
10400 E 69TH
PO BOX 407
BUHLER, KS 67522
Fax: 866-459-2829
daniel@ideatek.biz

MARK WADE, VP OF OPERATIONS
J.B.N. TELEPHONE COMPANY, INC.
PO BOX 111
HOLTON, KS 66436
Fax: 785-866-4121
mark@havilandtelco.com

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604-4027
Fax: 785-271-3354
a.latif@kcc.ks.gov

JOHN TIETJENS, PRESIDENT AND GENERAL MANAGER
LR COMMUNICATIONS, INC.
D/B/A MUTUAL TELECOMMUNICATIONS
365 MAIN ST
PO BOX 338
LITTLE RIVER, KS 67457
jtietjens@mtc4me.com

Shana Rains
MADISON TELEPHONE LLC
117 N THIRD
PO BOX 337
MADISON, KS 66860-0337
Fax: 620-437-2108
srains@madtel.net

HARRY M. WEELBORG, VICE PRESIDENT
MOUNDRIDGE TELEPHONE COMPANY
109 N CHRISTIAN AVE
PO BOX 960
MOUNDRIDGE, KS 67107
Fax: 620-345-6106
weel@mtelco.net

JOHN WILLIS
I-WIRELESS, LLC
1 LEVEE WAY STE 3104
NEWPORT, KY 41071-1661
Fax: 859-261-6639
john.willis@iwirelesshome.com

DANA PIERCE, CEO/GENERAL MANAGER
KANOKLA TELEPHONE ASSN., INC.
100 KANOKLA AVE
PO BOX 111
CALDWELL, KS 67022
Fax: 620-845-5636
dana@kanokla.com

HARRY J. LEE, JR., PRESIDENT/GENERAL MANAGER
LAHARPE TELEPHONE COMPANY, INC.
D/B/A LAHARPE LONG DISTANCE
109 W 6TH ST
PO BOX 100
LA HARPE, KS 66751
harry.lee@laharpetel.com

SHERRY L. DEWITT, PRESIDENT
MADISON TELEPHONE LLC
117 N THIRD
PO BOX 337
MADISON, KS 66860-0337
Fax: 620-437-2108
madtel@madtel.net

AMANDA MOLINA, AVP OF EXTERNAL RELATIONS
MOKAN DIAL, INC.
1139 BRIDGEWAY BLVD
ORLANDO, FL 32828
amolina@townes.net

BECKY ERICKSON, OFFICE MANAGER/ACCOUNTANT
MUTUAL TELEPHONE COMPANY
365 MAIN ST
PO BOX 338
LITTLE RIVER, KS 67457
Fax: 620-897-6211
berickson@mtc4me.com

CERTIFICATE OF SERVICE

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ERIC L PRESTON, GENERAL COUNSEL
NE COLORADO CELLULAR, INC.
D/B/A VIAERO WIRELESS
1224 W PLATTE AVE
FORT MORGAN, CO 80701
Fax: 970-867-3589
eric.preston@viaero.com

JIMMY TODD, CEO/GENERAL MANAGER
NEX-TECH, INC.
145 N. MAIN
PO BOX 158
LENORA, KS 67645
Fax: 785-625-4479
jtodd@nex-tech.com

CATHERINE MOYER, GENERAL MANAGER & CEO
PIONEER TELEPHONE ASSN., INC.
D/B/A PIONEER COMMUNICATIONS
120 W KANSAS AVE
PO BOX 707
ULYSSES, KS 67880-0707
Fax: 620-424-3133
catherine.moyer@pioncomm.net

JAMES LEDNICKY, GENERAL MANAGER
RAINBOW TELECOMMUNICATIONS ASSOCIATION, INC.
608 MAIN ST
PO BOX 147
EVEREST, KS 66424-0147
Fax: 785-548-7517
james@rainbowtel.com

JANET BATHURST, MANAGER
S&A TELEPHONE COMPANY, INC.
413 MAIN ST
PO BOX 68
ALLEN, KS 66833
Fax: 620-528-3226
jbathurst@satelephone.com

ZACK O'DELL
S&T COMMUNICATIONS LLC
320 KANSAS AVE
PO BOX 99
BREWSTER, KS 67732
Fax: 785-694-2750
zack.odell@sttelcom.com

DARON E. JAMISON, FINANCE/BUSINESS
DEVELOPMENT SUPERVISOR
NEX-TECH WIRELESS, L.L.C
3001 NEW WAY
HAYS, KS 67601
Fax: 785-621-2599
djamison@nex-techwireless.com

KATHY BILLINGER, CEO/GENERAL MANAGER
PEOPLES TELECOMMUNICATIONS, LLC
208 N BROADWAY
PO BOX 450
LA CYGNE, KS 66040
Fax: 913-757-2724
kathy@peoplestelecom.net

ISSA ASAD
Q-LINK WIRELESS LLC
400 E SHERIDAN ST STE 400
DANIA BEACH, FL 33004
legal@qlinkwireless.com

RHONDA S GODDARD, COO
RURAL TELEPHONE SERVICE COMPANY, INC.
D/B/A Nex-Tech
145 N MAIN
PO BOX 158
LENORA, KS 67645
Fax: 785-567-4401
rgoddard@nex-tech.com

SHIRLEY VINCENT
S&A TELEPHONE COMPANY, INC.
413 MAIN ST
PO BOX 68
ALLEN, KS 66833
Fax: 620-528-3226
sacsr@satelephone.com

STEVE RICHARDS, GENERAL MANAGER
S&T COMMUNICATIONS, INC.
320 KANSAS AVE
PO BOX 99
BREWSTER, KS 67732
Fax: 785-694-2750
srichards@st-tel.net

CERTIFICATE OF SERVICE

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CASSANDRA MILLIGAN, REGULATORY AFFAIRS
SAGE TELECOM COMMUNICATIONS, LLC
10440 N CENTRAL EXPRESSWAY STE 700
DALLAS, TX 75231
Fax: 214-495-4789
cmilligan@truconnect.com

JACK KOO, CHIEF EXECUTIVE OFFICER
SKYBEAM, LLC
61 INVERNESS DR E
SUITE 250
ENGLEWOOD, CO 80112-5147

STEVE DAVIS, GENERAL MANAGER
SOUTH CENTRAL COMMUNICATIONS, INC.
PO DRAWER B, 101 W KANSAS
MEDICINE LODGE, KS 67104-0802

KELLY JOHNSON, GENERAL MANAGER
SOUTH CENTRAL TELEPHONE ASSN. INC.
215 S ILIFF ST
PO DRAWER B
MEDICINE LODGE, KS 67104
Fax: 620-930-1051
kjohnson@sctelcom.com

KENDALL S. MIKESELL, PRESIDENT
SOUTHERN KANSAS TELEPHONE COMPANY, INC.
112 S LEE ST
PO BOX 800
CLEARWATER, KS 67026-0800
Fax: 620-584-2268
kendall.mikesell@sktcompanies.com

JANET ARNOLD, MANAGER-REGULATORY RELATIONS
SOUTHWESTERN BELL TELEPHONE CO.
D/B/A AT&T KANSAS
220 SE SIXTH ST.
ROOM 505
TOPEKA, KS 66603-3596
Fax: 785-276-1988
js0746@att.com

ANN HUGHES, DIRECTOR-REGULATORY
SOUTHWESTERN BELL TELEPHONE CO.
D/B/A AT&T KANSAS
220 SE SIXTH ST.
ROOM 505
TOPEKA, KS 66603-3596
Fax: 785-276-1988
ann.hughes@att.com

BRUCE A. NEY, ATTORNEY
SOUTHWESTERN BELL TELEPHONE CO.
D/B/A AT&T KANSAS
816 CONGRESS AVE
SUITE 1100
AUSTIN, TX 78701-2471
Fax: 512-870-3420
bruce.ney@att.com

PATRICK MORSE, DIRECTOR OF OPERATIONS
SUNFLOWER TELEPHONE COMPANY, INC.
D/B/A FAIRPOINT COMMUNICATIONS
PO BOX 199
DODGE CITY, KS 67801-0199
Fax: 620-227-8576
pmorse@fairpoint.com

ASHLEY BROWN, COMPLIANCE REPROTING
SPECIALIST-COMPLIANCE & REGULATORY AFFAIRS
TAG MOBILE, LLC
1330 CAPITAL PKWY
CARROLLTON, TX 75006
ashley.brown@tagmobile.com

BRIAN LISLE, PRESIDENT
TELRITE CORPORATION
4113 MONTICELLO ST
COVINGTON, GA 30014
brian.lisle@telrite.com

ANGELA HOKE
TEMPO TELECOM, LLC
2323 GRAND BLVD STE 925
KANSAS CITY, MO 64108-2670
angela.hoke@mytempo.com

CERTIFICATE OF SERVICE

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MARK M. GAILEY, PRESIDENT & GENERAL MANAGER
TOTAH COMMUNICATIONS, INC.
101 MAIN ST
PO BOX 300
OCHELATA, OK 74051-0300
Fax: 918-535-2701
mmgailey@totelcsi.com

RICHARD B. SALZMAN, EXECUTIVE VICE PRESIDENT
TRACFONE WIRELESS, INC.
9700 NW 112TH AVE
MIAMI, FL 33178
rsalzman@tracfone.com

ADAM GLENDENING
TWIN VALLEY TELEPHONE, INC.
22 SPRUCE
PO BOX 395
MILTONVALE, KS 67466
Fax: 785-427-2216
tvtaacctpay@tvttinc.net

JOHN R. IDOUX, DIRECTOR KANSAS GOVERNMENTAL
AFFAIRS
UNITED TELEPHONE CO. OF KANSAS
D/B/A CENTURYLINK
600 NEW CENTURY PKWY
NEW CENTURY, KS 66031
Fax: 913-345-6756
john.idoux@centurylink.com

GRANT SPELLMEIER, DIRECTOR, EXTERNAL AFFAIRS
USCOC OF NEBRASKA/KANSAS LLC
8410 BRYN MAWR
CHICAGO, IL 60631
Fax: 847-864-3133

JEFF WICK, PRESIDENT/GENERAL MANAGER
WAMEGO TELECOMMUNICATIONS COMPANY, INC.
1009 LINCOLN
PO BOX 25
WAMEGO, KS 66547-0025
Fax: 785-456-9903
jwick@wtcks.com

HIDEKI KATO, COO
TOTAL CALL MOBILE, INC.
1411 W 190TH ST STE 650
GARDENA, CA 90248-4369
hidekik@totalcallusa.com

DALE JONES, GENERAL MANAGER
TRI-COUNTY TELEPHONE ASSOCIATION, INC.
1568 S 1000 RD
PO BOX 299
COUNCIL GROVE, KS 66846
Fax: 785-366-7007
djones@tctainc.net

CRAIG MOCK, GENERAL MANAGER
UNITED TELEPHONE ASSN., INC.
1107 MCARTOR RD
PO BOX 117
DODGE CITY, KS 67801
Fax: 620-227-7032
craigm@unitedtelcom.net

HARRY WALKER, PRESIDENT
UNITED WIRELESS COMMUNICATIONS, INC.
1107 MCARTOR RD
PO BOX 117
DODGE CITY, KS 67801

DIANE C BROWNING, COUNSEL STATE REGULATORY
AFFAIRS
VIRGIN MOBILE USA, L.P.
KSOPHN0314-3A459
6450 SPRINT PKWY
OVERLAND PARK, KS 66251
Fax: 913-523-0571
diane.c.browning@sprint.com

CARRIE LOOS, ACCOUNTING ADMINISTRATOR
WHEAT STATE TELEPHONE COMPANY, INC.
PO BOX 320
UDALL, KS 67146
Fax: 620-782-3302
cloos@wheatstate.com

CERTIFICATE OF SERVICE

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BRIAN BOISVERT, GENERAL MANAGER
WILSON TELEPHONE COMPANY, INC.
2504 AVE D
PO BOX 190
WILSON, KS 67490-0190
Fax: 785-658-3344
boisvert@wilsoncom.us

DALE SCHMICK, VICE-PRESIDENT/GEN. MANAGER
YOURTEL AMERICA, INC.
D/B/A TERRACOM
933 E BRITTON RD
OKLAHOMA CITY, OK 73114
Fax: 816-388-1044
dschmick@yourtel.com

KATHY PRICE, GENERAL MANAGER
ZENDA TELEPHONE COMPANY, INC.
208 N MAIN
PO BOX 128
ZENDA, KS 67159
Fax: 620-243-7611
kprice@zendatelephone.com

EMAILED

AUG 16 2016

/S/ DeeAnn Shupe

DeeAnn Shupe

This order has been served on the following people on AUG 16 2016 via U.S. Mail:

Harry Walker
United Wireless Communications, Inc.
PO Box 117
Dodge City, KS 67801

Steve Davis
South Central Communications, Inc.
PO Drawer B
Medicine Lodge, KS 67104-0802

Grant Spellmeier
USCOC of Nebraska/Kansas LLC
8410 Bryn Mawr
Chicago, IL 60631

Jack Koo
Skybeam, LLC
61 Inverness Dr E Ste 250
Englewood CO 80112-5147

Order Mailed Date

AUG 17 2016