THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:	Andrew J. French, Chairperson Dwight D. Keen Annie Kuether				
In the Matter of the Application of Telephone Company for an Increas Cost-Based Kansas Universal Servi Support.	e in its	Docket No. 25-MTLT-161-KSF			

ORDER GRANTING JOINT MOTION TO CANCEL REMAINING PROCEDURAL SCHEDULE AND RENDER A DECISION ON PAPER RECORD

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

- 1. On September 23, 2024, Mutual Telephone Company (Mutual) filed an Application requesting an additional \$452,010 in its annual support from the Kansas Universal Service Fund (KUSF). Currently, Mutual receives \$219,058 (pro-rated to \$181,435) in annual KUSF Support.²
- 2. On October 8, 2024, pursuant to K.S.A. 66-117(c), the Commission issued a Suspension Order, establishing a May 21, 2025 deadline for a final order on Mutual's Application.
- 3. On October 15, 2024, the Commission issued Order Setting Procedural Schedule, which included a prehearing conference on March 6, 2025, an evidentiary hearing on March 13, 2025, and post-hearing briefing.

¹ Application and Request of Mutual Telephone Company for an Increase in its Cost-Based Kansas Universal Service Fund Support, Sep. 23, 2024; Direct Testimony of Stacey Brigham, Sep. 20, 2024, p. 2.

² Notice of Filing of Staff's Report and Recommendation Regarding KUSF Proration Effective June 1, 2024, Docket No. 24-GIMT-229-GIT, Attachment A, p. 1. On p. 8 of her direct testimony, Stacey Bingham recognizes Year 28 KUSF revenues for Mutual as calculated in Staff's Report and Recommendation filed in the 24-GIMT-229-GIT Docket.

4. On February 11, 2025, Commission Staff (Staff) and Mutual filed a Joint Motion to Approve Settlement Agreement; Cancel Remaining Procedural Schedule; and Render a Decision on Paper Record. Under the proposed settlement, Mutual will receive an additional \$412,991 in annual KUSF support.³ When added to Mutual's expected pro-rated KUSF draw as of March 1, 2025, of \$181,594, Mutual will receive \$594,585 annually (before being pro-rated by the cap).⁴ At the conclusion of the five-year amortization period allowed for rate case expenses, Mutual's annual KUSF draw will be reduced by \$12,932 (one-fifth of the total trued-up rate case expense of \$64,660).⁵ The Parties request the Commission cancel the evidentiary hearing and proceed on the paper record.

5. K.S.A. 77-537 allows the Commission to render decisions in summary proceedings without holding a hearing.⁶ K.S.A. 77-524(d) enables evidence to be received in written form if it will expedite the process without substantial prejudice to the interest of any party.⁷ Pursuant to K.S.A. 77-537 and K.S.A. 77-524(d), the Commission finds it appropriate to accept the Parties' written submissions in lieu of conducting a hearing as it will expedite the process without prejudicing the interests of any of the parties. Thus, the Commission grants the Joint Motion to Cancel Remaining Procedural Schedule, with the exception of Testimony in Support of the Settlement Agreement and will render a decision on the paper record by May 21, 2025.

³ Joint Motion to Approve Settlement Agreement; Cancel Remaining Procedural Schedule; and Render a Decision on Paper Record, Feb. 11, 2025, ₱ 5.

⁴ *Id*.

⁵ *Id*.

⁶ K.S.A. 77-537.

⁷ K.S.A. 77-524(d).

THEREFORE, THE COMMISSION ORDERS:

A. The Joint Motion to Cancel the Remaining Procedural Schedule is granted. Testimony in Support of the Settlement Agreement is still due March 5, 2025. The Commission will issue its decision based on the written record by May 21, 2025.

B. This Order is procedural and constitutes non-final agency action.⁸

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 02/20/2025

Abigail D. Emery

Acting Secretary to the Commission

BGF

⁸ K.S.A. 77-607(b)(2).

CERTIFICATE OF SERVICE

25-MTLT-161-KSF

I, the undersigned, co	ertify that a true o	copy of the	attached	Order h	as been	served to	o the f	ollowing b	y means of
electronic service on	02/20/2025		<u>. </u> .						

BRIAN G. FEDOTIN, GENERAL COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604 brian.fedotin@ks.gov

COLLEEN JAMISON
JAMISON LAW, LLC
P O BOX 128
TECUMSEH, KS 66542
colleen.jamison@jamisonlaw.legal

NICOLE STEPHENS, KUSF ADMINISTRATOR MANAGER VANTAGE POINT SOLUTIONS 2930 MONTVALE DRIVE SUITE B SPRINGFIELD, IL 62704 nicole.stephens@vantagepnt.com MADISEN HANE, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604 madisen.hane@ks.gov

AHSAN LATIF, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ahsan.latif@ks.gov

/S/ KCC Docket Room

KCC Docket Room