

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

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

In the Matter of the Application of Twin Valley)
Telephone Filing Tariff Revisions to No)
Longer Provide a Printed Telephone Directory) Docket No. 25-TWVT-259-TAR
and Remove Services Which No Longer)
Provided.)

ORDER APPROVING TARIFF REVISIONS

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:

I. BACKGROUND

1. On August 22, 2024, the Commission approved the Order Adopting Joint Staff and RLEC’s Proposed Replacement for the 1067 Directive Regarding Directories in Docket No. 24-GIMT-380-MIS (“the 24-380 Order”).¹ The 24-380 Order eliminated any requirement that mandated Rural Local Exchange Carriers (“RLECs”) to physically print and distribute a telephone directory to subscribers.² The 24-380 Order also allows RLECs to provide directories in any format or manner an individual RLEC deems most cost-effective, upon request from a subscriber, subject to the conditions outlined in paragraph 6 of the 24-380 Order.³

2. Paragraph 6 of the 24-380 Order creates the following conditions on an RLEC that elects to discontinue to distribute a formal bound and printed directory:

¹ Order Adopting Joint Staff and RLECs Proposed Replacement for 1967 Directive Regarding Directories (Aug. 22, 2024) (“the 24-380 Order”).

² 24-380 Order, p. 4.

³ *Id.*

- Each RLEC will provide at least 90 days’ notice before ceasing the distribution of a printed directory to every subscriber, through bill messages, bill inserts, website announcements and social media messaging, including information on (1) accessing any online or electronic directory; and (2) requesting a paper copy of the directory from the RLEC;
- The notice will also include information on how customers can communicate with the respective RLEC, or the Commission;
- The RLEC will inform new customers that they will not be receiving a printed directory, and will provide new customers with information on how to access an online directory or obtain a printed directory upon request; and
- RLECs that elect to stop distributing directories will send annual reminders to their customers that a printed directory will no longer be provided, but that the customer may request a simple paper/PDF copy of directory information.⁴

3. On December 30, 2024, Twin Valley Telephone (“Twin Valley”) filed an application in the above-captioned docket proposing revisions to its General Exchange Tariff to implement the 24-380 Order and to remove discontinued services no longer offered to its customers.⁵ In its Application, Twin Valley requested its tariff revisions be effective January 30, 2025.⁶

4. In accordance with the Commission’s authority pursuant to K.S.A. 66-117(c), the Commission suspended this docket until August 27, 2025, to allow Staff adequate time to analyze Twin Valley’s Application.⁷

5. On January 24, 2025, Commission Staff (“Staff”) submitted its Report and Recommendation (“R&R”), attached hereto and incorporated herein.⁸ Staff’s R&R ultimately recommends that the Commission approve Twin Valley’s Application to revise its General Exchange Tariff by implementing language changes consistent with the 24-380 Order and to

⁴ *Id.*, p. 3.

⁵ Application of Twin Valley Telephone (Dec. 30, 2024) (“Application”).

⁶ *Id.*

⁷ Suspension Order: August 27, 2025 (Jan. 23, 2025).

⁸ Report and Recommendation, Utilities Division, Docket No. 25-TWVT-259-TAR (Jan. 6, 2025) (“Staff’s R&R” or “R&R”).

remove discontinued services no longer offered to its customers, subject to the condition that Twin Valley continue to comply with the requirements set forth in paragraph 6 of the 24-380 Order.⁹

II. LEGAL STANDARDS

6. The Commission derives its authority to review Local Exchange Carrier tariffs from K.S.A. 66-117(d), which states in part:

....(d) Except as provided in subsection (c), no change shall be made in any rate, toll, charge, classification, or schedule of charges or joint rates, or in any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, without the consent of the commission.

7. The Commission must review rates and terms for jurisdictional telecommunications services to ensure they are “just and reasonable” pursuant to K.S.A. 66-1,189. Further, K.S.A. 66-1,189 requires the Commission to ensure that all classifications, rules, and regulations regarding the services are not unduly discriminatory or preferential.

8. K.S.A. 66-1,190 provides in part that telecommunications public utilities doing business in Kansas shall:

... publish and file with the commission copies of all schedules of rates, joint rates, tolls charges, classifications, and divisions of rates affecting Kansas traffic, either state or interstate... and... the commission shall have power to prescribe reasonable rules and regulations regarding the form and filing of all schedules, tariffs, and classifications of all rates, joint rates, tolls, and charges and all rules and regulations of such telecommunications public utilities...

III. ANALYSIS

9. In its R&R, Staff evaluated the language Twin Valley proposes to implement the 24-380 Order.¹⁰ Staff determined that Twin Valley’s revision to its General Exchange Tariff means

⁹ *Id.*, p. 3.

¹⁰ Staff’s R&R, p 2.

that Twin Valley will make available, upon request and without charge, a copy of the telephone number directory to any subscriber.¹¹

10. Staff submitted a Discovery Request to inquire as to Twin Valley's compliance with the requirements contained in paragraph 6 of the 24-380 Order.¹² In response, Twin Valley submitted a copy of the notice it has submitted to its customers. Staff determined that this notice complies with the requirements contained in paragraph 6 of the 24-380 Order.¹³ Therefore, Staff recommended that the Commission find that Twin Valley's revision to its tariff to remove any requirement to provide a printed directory is just and reasonable and consistent with the Commission's Order in the 24-380 Docket.¹⁴

11. Staff also examined the portion of Twin Valley's Application purporting to remove its Payphone Exchange Service and Bundled Services (local, long-distance, high-speed Internet, and Television Services) from its General Exchange Tariff.¹⁵ Staff confirmed with Twin Valley that these services are no longer offered to local telephone service subscribers, and therefore there will be no subscriber or revenue impact resulting from these changes.¹⁶ Therefore, Staff recommended that the Commission approve these tariff revisions to remove these services no longer offered to Twin Valley's subscribers.

12. Finally, Staff evaluated the portion of Twin Valley's Application purporting to remove sections from its tariff relating to Radio Common Carrier Interconnection Service. Twin Valley represented that its Carrier Interconnection service contracts are now implemented through separate individual contract agreements.¹⁷ Staff determined that this service is negotiated between

¹¹ *Id.*

¹² *Id.*

¹³ *Id.* at p. 3.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

carriers rather than between Twin Valley and the public, and therefore it is reasonable to remove this service from its General Exchange Tariff.¹⁸ Staff determined that the implementation of this service through separate individual contract agreements is consistent with federal telecommunications regulations.¹⁹ Therefore, Staff recommended that the Commission find that the removal of these sections relating to Radio Common Carrier Interconnection Services be approved.²⁰

13. Staff recommended that the Commission grant Twin Valley's Application and approve Twin Valley's revised tariff as requested by the company.²¹

14. The Commission hereby adopts Staff's analysis and recommendations as contained in Staff's January 24, 2025, R&R. The Commission finds that Twin Valley's Application should be granted.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Twin Valley Telephone's Application is hereby granted, and its revised General Exchange Tariff is hereby approved and shall become effective upon the issuance of this Order.

B. Twin Valley is directed to comply with the customer notification provisions set forth above in paragraph 2 referencing the Commission's Order in Docket No. 24-GIMT-380-MIS.

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).²²

¹⁸ *Id.*

¹⁹ *See* 42 U.S.C. § 252, Staff's R&R, p. 2.

²⁰ Staff's R&R, p. 2.

²¹ *Id.*

²² K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

BY THE COMMISSION IT IS SO ORDERED.

French, Chair; Keen, Commissioner; Kuether, Commissioner

Dated: 01/30/2025



Lynn M. Retz
Executive Director

MKH

REPORT AND RECOMMENDATION UTILITIES DIVISION

TO: Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

FROM: Hemant Bhagat, Senior Telecommunications Analyst
Steve Garrett, Deputy Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: January 24, 2025

SUBJECT: Docket No. 25-TWVT-259-TAR

In the Matter of the Application of Twin Valley Telephone Filing Tariff Revisions to No Longer Provide a Printed Telephone Directory and Remove Services Which No Longer Provided.

EXECUTIVE SUMMARY

On December 30, 2024, Twin Valley Telephone (“Twin Valley”) filed an Application with the Kansas Corporation Commission (“Commission”) proposing revisions to its General Exchange Tariff. This revision will implement the Commission’s August 22, 2024, Order Adopting Joint Staff and RLECs Proposed Replacement for the 1967 Directive Regarding Directories in Docket No. 24-GIMT-380-MIS (“24-380 Order”). The revision also eliminates services that are discontinued and no longer provided to customers. The Tariff pages impacted by this revision include the following:

- **Index:** 4th Revised Sheet 2.
- **Section 2:** 1st Revised Sheets 5, 6, 7, 9; Section 2, 22nd Revised Sheets 11, 14, 25, 26.
- **Section 3:** 22nd Revised Sheet 1; 8th Revised Sheet 3; 6th Revised Sheet 4; 5th Revised Sheets 5, 6; 5th Revised Sheet 6; 4th Revised Sheets 9, 10; 6th Revised Sheet 11; 7th Revised Sheet 12.
- **Section 4:** 2nd Revised Sheet 1; 3rd Revised Sheets 2, 5, 11; 4th Revised Sheets 3, 5; 7th Revised Sheet 14.
- **Section 5:** 1st Revised Sheets 1 through 10

Commission Staff (“Staff”) recommends approval of this Application. The Commission action date is Tuesday, January 28, 2025.

BACKGROUND:

The Commission derives its authority to review Local Exchange Carrier tariffs from K.S.A. 66-117(d), which states in part:

(d) Except as provided in subsection (c), no change shall be made in any rate, toll, charge, classification or schedule of charges or joint rates, or in any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, without the consent of the commission.

Pursuant to K.S.A. 66-1,189, the Commission must review rates and terms for every telecommunication public utility to ensure they are “just and reasonable” and the classifications, rules, and regulations regarding the services are not unduly discriminatory or preferential.

Additionally, K.S.A. 66-1,190 requires every public utility doing business in Kansas over which the Commission has control to publish and file with the Commission copies of all schedules of rates, joint rates, tolls, charges, classifications and divisions of rates affecting Kansas traffic, either state or interstate. The Commission has the power to prescribe reasonable rules and regulations regarding the form and filing of all schedules, tariffs and classifications of all rates, joint rates, tolls and charges, and all rules and regulations of such telecommunications public utilities as the Commission determines reasonable and appropriate.

The 24-380 Order allows a Rural Local Exchange Carrier (“RLEC”) discretion to continue to distribute a formal bound and printed directory to subscribers. Paragraph 6 of the 24-380 Order, herein known as the “Paragraph 6 Conditions”, creates the following conditions on a RLEC that elects to discontinue to distribute a formal bound and printed directory:

- Each RLEC will provide at least 90 days' notice before ceasing the distribution of a printed directory to every subscriber, through bill messages, bill inserts, website announcements and social media messaging, including information on (1) accessing any online or electronic directory, and (2) requesting a paper copy of the directory from the RLEC;
- The notice will also include information on how customers can communicate with the respective RLEC, or the Commission;
- The RLEC will inform new customers that they will not be receiving a printed directory, and will provide new customers with information on how to access an online directory or obtain a printed directory upon request; and
- RLECs that elect to stop distributing directories will send annual reminders to their customers that a printed directory will no longer be provided, but that the customer may request a simple paper/PDF copy of directory information.

ANALYSIS:

Twin Valley’s Application proposes to remove its Printed Telephone Directory from its General Exchange Tariff and remove services no longer offered. Twin Valley’s revision to its General Exchange Tariff implement language that the Company will make available upon request and without charge, a copy of the telephone number directory to any subscriber. Such list may be obtained in person at Company offices or on the Company’s website.

Staff submitted a Discovery Request to Twin Valley inquiring into how Twin Valley will comply with the Paragraph 6 Conditions set forth in the 24-380 Order. Twin Valley stated that it has

provided customers with two bill messages, website verbiage, and account notifications that it provided greater than 90-day notice of printed directory ceasing. Twin Valley stated that this notice messaging also included information on how to access a copy of an electronic directory and how to request a printed copy of the directory, if desired. Twin Valley stated that it is preparing to send email notifications and social media posts regarding this notice message.

Therefore, Staff determined that Twin Valley's tariff revision relating to the printed telephone directory complies with the Paragraph 6 Conditions set forth in the 24-380 Order and is just and reasonable.

Twin Valley's Application proposes to remove its Payphone Exchange Service and Bundled Services (local, long-distance, high-speed Internet, and Television Services) from its General Exchange Tariff. The Company states that its Payphone Exchange Service and Bundled Services are no longer offered to local telephone service subscribers. The Company further stated that there will be no subscriber or revenue impact resulting from this change.

Twin Valley removed Sections from the General Exchange Tariff relating to Radio Common Carrier Interconnection Service. Staff's inquiry with the Company about removing the sections indicated the Carrier Interconnection service contracts are now implemented through separate individual contract agreements. Staff determined that this service is negotiated between carriers rather than between Twin Valley and the public. Staff determined that the implementation of this service through separate individual contract agreements is consistent with federal telecommunications regulations.¹

RECOMMENDATION:

Staff recommends the Commission accept Twin Valley Telephone's revised General Exchange Tariff to no longer provide a Printed Telephone Directory by implementing language changes consistent with the Commission's 24-380 Order to make available upon request and without charge, a copy of the telephone number directory to any subscriber. Staff also recommends the Commission accept the removal of discontinued Payphone Exchange Service and Bundled Services no longer offered to customers with an effective date of January 30, 2025, as requested by the Company.

Staff recommends that the Commission condition the approval of Twin Valley's Application upon its continued compliance with the notice requirements set forth in paragraph 6 of the Commission's Order in Docket No. 24-GIMT-380-MIS.

¹ See 42 U.S.C. § 252.

CERTIFICATE OF SERVICE

25-TWWT-259-TAR

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 01/30/2025.

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