

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

Before Commissioners: Dwight D. Keen, Chair
 Shari Feist Albrecht
 Susan K. Duffy

In the Matter of the Application and Request of)
United Telephone Association, Inc. for an) Docket No. 20-UTAT-032-KSF
Increase in its Cost-Based Kansas Universal)
Service Fund Support)

SUSPENSION ORDER: MARCH 20, 2020

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:

1. On July 24, 2019, United Telephone Association, Inc. (United) filed an Application seeking an additional \$2,287,253 in annual Kansas Universal Service Fund (KUSF) support. United currently receives approximately \$285,030 annually to support universal service in rural areas.¹

2. K.S.A. 66-2008(f) states in part: “[w]ith respect to any request for additional supplemental funding from the KUSF and any audit of a rural telephone company’s KUSF support, the commission shall act expeditiously, and shall be subject to the 240-day deadline for rate case applications pursuant to K.S.A. 66-117, and amendments thereto.

3. K.S.A. 66-117(c) states in part: “[t]he commission shall not delay the effective date of the proposed change in rate, joint rate, toll, charge or classification or schedule of charges, or in any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, more than 240 days beyond the date the public utility or common carrier filed its

¹<http://kcc.ks.gov/images/PDFs/telecommunications/kusfsupport.pdf>

application requesting the proposed change. If the commission does not suspend the proposed schedule within 30 days of the date the same is filed by the public utility or common carrier, such proposed schedule shall be deemed approved by the commission and shall take effect on the proposed effective date.”

4. A full investigation of United’s request, which may result in a hearing, is deemed necessary and proper. Absent suspension of United’s request, Commission Staff is without sufficient time to fully review, consider, and analyze whether the requested KUSF support increase should be approved.

5. The Commission finds and concludes that suspension of any potential effectiveness of United’s request is required to allow sufficient time for full investigation of this matter. The effective date of proposed request shall be suspended for a period not to exceed 240 days from the date the Application was made, July 24, 2019, until March 20, 2020. A Commission decision may be issued before such date.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Any decision regarding United’s Application shall be deferred until March 20, 2020. The Commission may issue a decision before such date.

B. 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).

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of issuing such further order, or orders, as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Keen, Chair; Albrecht, Commissioner; Duffy, Commissioner

Dated: 08/01/2019



Lynn M. Retz
Executive Director

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CERTIFICATE OF SERVICE

20-UTAT-032-KSF

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 08/01/2019.

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/S/ DeeAnn Shupe

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