

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

Before Commissioners: Brian J. Moline, Chair
Robert E. Krehbiel
Michael C. Moffet

MAR 28 2006

 Docket Room

In the Matter of Sage Telecom, Inc. Filing)
Tariff Revisions Adding a Public Switched) Docket No. 06-SAGT-1031-TAR
Network Recovery Charge, Adding More)
Plan Minutes to Specified Plans, and)
Making Rate Changes.

**COMPLAINT, PETITION TO INTERVENE, AND
MOTION TO DEFER THE EFFECTIVE DATE OF PROPOSED PUBLIC
SWITCHED NETWORK RECOVERY CHARGE AND SUSPEND PROCEEDING**

COMES NOW, the Citizens' Utility Ratepayer Board ("CURB") and files its Complaint and moves the Corporation Commission of the State of Kansas ("Commission") for an Order permitting it to intervene in the above-captioned proceeding, deferring the effective date of Sage Telecom, Inc.'s (Sage) proposed public switched network recovery charge, and suspending this proceeding. In support of its Complaint, Petition, and Motion, CURB states and alleges as follows:

1. CURB is composed of five volunteer consumer advocate members and is statutorily authorized to represent the interests of Kansas residential and small commercial ratepayers in utility proceedings.
2. CURB's Consumer Counsel has been given the discretion to intervene and represent the interests of Kansas residential and small commercial ratepayers in any utility proceeding before the Commission under K.S.A. 66-1223 et seq.

3. On March 23, 2006, Sage filed revised tariff pages with the Commission. This filing adds a public switched network recovery charge, adds more plan minutes to specified plans, and makes rate changes. Sage requests the proposed public switched network recovery charge be effective April 1, 2006.

4. CURB is requesting permission to intervene in this docket to represent the interests of the residential and small commercial ratepayers of Kansas with respect to Sage's proposed public switched network recovery charge. The rates paid and the service received by those customers will or may be affected by any Commission order or activity in this proceeding.

5. The representation of CURB's interests in this proceeding by existing parties is or may be inadequate.

6. The residential and small commercial ratepayers whose interests CURB represents will or may be bound by any Commission order or activity in this proceeding and will or may be adversely affected thereby.

7. CURB states and alleges that Sage's proposed public switched network recovery charge is unreasonable, unfair, unjust, unreasonably inefficient, unjustly discriminatory and/or unduly preferential, and that the Commission should undertake an investigation of the proposed public switched network recovery charge to determine whether an Order approving the proposed surcharge is appropriate and in the public interest.

8. CURB further states and alleges that Sage's proposed public switched network recovery charge is not an appropriate surcharge but is instead a deceptive practice to conceal a rate increase from ratepayers for providing local telephone service in the ordinary course of business. In other words, the proposed public switched network recovery charge is simply a disguised rate increase for providing the same service provided to ratepayers prior to the proposed implementation

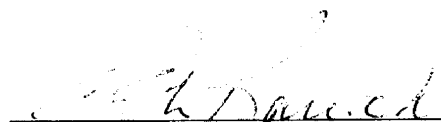
of the proposed surcharge, i.e., access the public switched network. As a result, any additional amounts Sage wishes to charge ratepayers should appropriately be implemented as an increase in Sage's tariffed recurring local service plan charges. Sage's proposed surcharge misrepresents the nature and cause of the surcharge and conceals what is simply a rate increase sought by Sage. By implementing this deceptive and misleading surcharge separate from Sage's tariffed rate, ratepayers will be misled in advertising and tariffs as to the actual rate being charged by Sage and prevented from making accurate and meaningful comparisons of rates charged by Sage's competitors.

9. K.S.A. 66-117(c) allows the Commission, upon complaint or its own motion, to give notice and hold hearings on proposed changes in rates by a public utility, and to suspend the proceedings for no more than 240 days.

10. CURB hereby issues its complaint to Sage's proposed surcharge as set forth above, and requests that the Commission defer the effective date of the proposed surcharge and suspend the proceedings in this docket for 240 days to investigate the issues raised by CURB above.

WHEREFORE, CURB respectfully requests the Commission issue an Order granting CURB's petition to intervene, deferring the effective date of Sage's proposed public switched network recovery surcharge, and suspending proceedings in this docket.

Respectfully submitted,

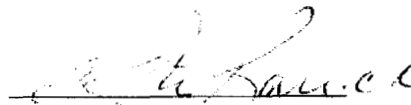

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VERIFICATION


STATE OF KANSAS)
)
COUNTY OF SHAWNEE) ss:

I, C. Steven Rarrick, of lawful age, being first duly sworn upon his oath states:

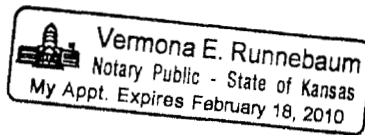
That he is an attorney for the Citizens' Utility Ratepayer Board; that he has read the above and foregoing document, and, upon information and belief, states that the matters therein appearing are true and correct.


C. Steven Rarrick

SUBSCRIBED AND SWORN to before me this 28th day of March, 2006.


Notary Public

My Commission expires:



CERTIFICATE OF SERVICE

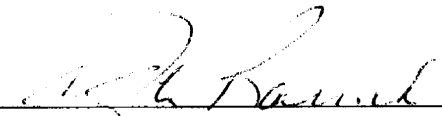
I, the undersigned, hereby certify that a true and correct copy of the above and foregoing document, was placed in the United States mail, postage prepaid, or hand-delivered this 29th day of March, 2006 to the following:

Susan Cunningham
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