

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Mark Sievers, Chairman
 Thomas E. Wright
 Shari Feist Albrecht

In the Matter of an Investigation to Determine)
the Assessment Rate for the Eighteenth Year of) Docket No. 14-GIMT-105-GIT
the Kansas Universal Service Fund, Effective)
March 1, 2014.)

ORDER APPROVING TRAFFIC FACTORS FOR AT&T MOBILITY

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. Pursuant to K.S.A. 66-2008(a), the commission requires “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.” On December 27, 1996, in Docket No. 94-GIMT-478-GIT, the Commission declared that the contribution would be a yearly assessment on each provider’s intrastate retail revenues.

2. Pursuant to the January 24, 2012 Order in Docket No. 12-GIMT-168-GIT, Wireless Carriers and interconnected voice over internet protocol (VoIP) providers that choose not to utilize the Federal Communications Commission’s (FCC’s) Safe Harbor percentage to allocate intrastate and interstate Kansas revenues must provide certain information to the Commission. The Wireless Carrier or VoIP provider must inform the Commission whether it

uses the traffic study or direct assignment methodology to assign revenues between jurisdictions. The Wireless Carrier or VoIP provider must provide the jurisdictional percentages (also known as “traffic factors”) derived from those methodologies at least annually and file them in the annual KUSF docket. Additionally, the Wireless Carrier or VoIP provider must provide an affidavit from an officer of the company attesting that it uses the inverse of the intrastate, KUSF revenue percentage for interstate, Federal Universal Service Fund (FUSF) remittance purposes.

3. On October 18, 2013, New Cingular Wireless PCS, LLC d/b/a AT&T Mobility (AT&T Mobility) filed an annual update of its traffic factors using the traffic study methodology. The filing notified the Commission of the traffic factors AT&T Mobility used between Q1-2013 and Q4-2013. The filing was accompanied by an affidavit signed by Linda A. Fisher stating that AT&T Mobility used those factors for KUSF and FUSF purposes.

4. The Commission finds the filing appropriate and approves the use of the jurisdictional percentages cited by AT&T Mobility for KUSF remittance purposes.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. AT&T Mobility is authorized to use the updated traffic factors filed on October 18, 2013 for Q1-2013 through Q4-2013.

B. Parties have 15 days, plus three days if service is by mail, from the date this Order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; 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.

Sievers, Chairman; Wright, Commissioner; Albrecht, Commissioner

Dated: OCT 24 2013



ORDER MAILED OCT 24 2013

Kim Christiansen
Executive Director

MRN

CERTIFICATE OF SERVICE

OCT 24 2013

14-GIMT-105-GIT

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Order Approving Traffic Factors for AT&T Mobility was served by electronic service on this 24th day of October, 2013, to the following parties who have waived receipt of follow-up hard copies.

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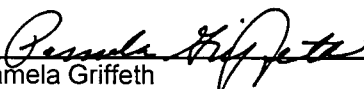
CERTIFICATE OF SERVICE

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