

COLLEEN R. JAMISON
JAMISON LAW, LLC

November 1, 2024

Lynn M. Retz, Executive Director
Kansas Corporation Commission
1500 SW Arrowhead Rd.
Topeka, KS 66604

RE: Haviland Telephone Co., Inc.
Application for Waiver
Telecommunications Billing Practice Standards

Dear Ms. Retz:

Enclosed for filing please find the application of Haviland Telephone Co., Inc. for a waiver of a certain portion of the Commission's telecommunications billing practice standards requiring the paper mailing of notices of suspension and/or disconnection. Enclosed with the application are Haviland's current paper notice and proposed electronic mail notice.

If you have any questions, please let me know.

Sincerely,

JAMISON LAW, LLC

Colleen R. Jamison

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Att.

cc: Diane Thompson
Kay Lewis

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

In the Matter of the Application of Haviland)	<u>25-HVDT-204-MIS</u>
Telephone Company, Inc. for a Waiver of)	Docket No. 25-HDVT-___-MIS
Certain Telecommunications Billing)	
Practice Standards.)	

**APPLICATION OF HAVILAND TELEPHONE COMPANY, INC.
FOR WAIVER OF CERTAIN TELECOMMUNICATIONS
BILLING PRACTICE STANDARDS**

COMES NOW Haviland Telephone Company, Inc. (hereinafter “Haviland”) and submits this application to the Commission requesting a waiver of certain telecommunications billing practice standards (hereinafter “standards”). In support, Haviland shows the Commission as follows:

1. Haviland is a Kansas corporation holding one or more Certificates of Convenience and Authority to engage in the business of providing local exchange and exchange access telecommunications service in a designated service area in the State of Kansas. It is a rural telephone company as defined by K.S.A. 66-1,187(l), and it is the carrier of last resort in its designated service area. K.S.A. 66-2009(a).

2. The current standards were established by the Commission in Docket No. 06-GIMT-187-GIT, in a Final Order dated July 16, 2010, as amended by an Order on Petition for Reconsideration dated September 1, 2010.

3. In the Order on Petition for Reconsideration, the Commission added language (see para. 27) that:

The requirements contained in these standards may be waived on an individual case basis by the Commission upon application by the telecommunication

provider and a showing that a waiver is in the public interest. *In making this determination, the Commission's considerations will include the interests of the applicant telecommunication provider, the interests of the affected consumer(s), and the interests of the public.* (emphasis in original)

4. The standards currently require traditional “snail” mailing of notices of suspension or disconnection of service. See Final Order, Attachment 1, Section IV.D.(1) and (2). Haviland requests the Commission grant Haviland a waiver of this standard and allow Haviland to substitute electronic mailing of notices of suspension or disconnection of service. Haviland notes that the Commission has previously granted similar waivers from the standards. See Docket No. 11-RRLT-188-MIS, and Docket No. 15-MRGT-110-MIS.

5. Haviland has contacted Commission Staff prior to filing this application for waiver in order to be able to provide Staff and the Commission in this application with the information necessary to be able to thoroughly consider the application without additional burden on the Staff or the Commission.

6. When a new customer initiates Haviland service, the new customer typically initiates service via electronic means, inputting the service address where the new customer is requesting service. The customer fills out their own contact information, including a billing address if the billing address is other than the service address, email address, security questions, and the information of additional authorized users. Haviland receives the service initiation request and one of Haviland's customer service representatives will process the service order and contact the customer to schedule service initiation and gather any other necessary information.

7. Haviland processes billing monthly and currently offers subscribers the option to choose electronic delivery of the monthly bill. Once the monthly billing occurs, Haviland's billing supervisor receives a report generated by its billing program noting any invalid email

addresses. Haviland's billing supervisor then personally contacts subscribers with the invalid email addresses to correct the email address in Haviland's billing system.

8. Since 2021, Haviland has annually sent the following number of notifications for all services provided by Haviland in its regulated service area:

- 2021 – 2553
- 2022 – 2724
- 2023 – 2676
- 2024 – 2478 (ytd)

9. Haviland's regulated service customer count for the same time period is:

- 2021 – 1604
- 2022 – 1451
- 2023 – 1307
- 2024 – 1186

10. The cost to Haviland to process and mail the paper disconnect notices for the 2023 calendar year, the last full calendar year for which information is available, is \$2,921.

11. Fifty-two percent of current Haviland subscribers choose to receive all communications from Haviland, including bills and late notices, via electronic mail. Granting Haviland the proposed waiver from the standards is estimated to generate an additional \$1,500 per year of cost savings, although cost is not the primary driver of Haviland's request. Indeed, the primary motivator is to expedite the delivery of the notice in that in Haviland's experience the United States Postal Service has proven increasingly unreliable and subject to delays, resulting in customers not receiving notices in a timely manner in order to be able to potentially rectify past due balances prior to service disconnection. Another primary driver of this request is the operational efficiencies it will provide to the company.

12. Haviland's current billing system allows for the flagging and tracking of accounts that have authorized Haviland to send billing and delinquent notices via electronic mail. This

existing functionality would be used going forward. The system also allows Haviland to run a myriad of reports.

13. Haviland has attached a copy of its current paper notice. Haviland proposes to use the same verbiage in its electronic mail notices of suspension of service and disconnection of service.

14. With respect to existing customers, Haviland proposes to notify all current customers that suspension of service and disconnection of service will be made via electronic mail unless the customer specifically opts out (substituting for the current “opt in” process). For new customers, the option to opt out of electronic communications and notifications, and instead choose traditional paper mailed notifications, will be provided at service initiation.

15. In the event email or other electronic communication with the customer fails at any step, Haviland will revert to mailing a paper notice of suspension or disconnection of service.

WHEREFORE, Haviland Telephone Company, Inc. requests the Commission grant it the requested waiver from the telecommunications billing practice standards as set forth herein, and for such other and further relief as the Commission deems just and equitable.

Respectfully submitted,

JAMISON LAW, LLC

Colleen R. Jamison

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VERIFICATION

Pursuant to K.S.A. 53-601, I hereby declare under penalty of perjury that the foregoing is true and correct. Executed on November 1, 2024.

Colleen R. Jamison

Colleen R. Jamison

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXX, XXX 000000-0000



Notice Date: October 25, 2024
Account Number: 1999999999
Billing Number: (999) 999-9999
Supension Date: October 25, 2024

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXX, XXX 000000-0000

Total Amount Past Due: \$99,999.99



Detach and Return this portion with your payment.

For questions regarding this notice, call: 1-800-339-8052 or 611.

Billing Number: (999) 999-9999

LATE NOTICE

A friendly reminder that we have not received payment for your bill. A \$2.50 late charge will appear on your next bill.

Payment must be received in full by 9:00am on 10/25/2024. Failure to do so will result in suspension of service, resulting in a \$24 reconnect fee. Suspension may be postponed or avoided if you make payment arrangements with us by calling 1-800-339-8052 or 611.

*Lifeline assistance available for low-income households. Call to see if you qualify.

*Returned check charge of \$10 plus postage applicable if check returned by bank not-paid.

*For consumer complaints not resolved to your satisfaction with HTC, you have the right to contact the Kansas Corporation Commission at 1-800-662-0027 or kcc.ks.gov.

*To dispute charges on your bill, please contact our office to present support for your dispute and postpone suspension.

We value & appreciate your business. If your payment has already been mailed, thank you.

Kay Lewis

From: Haviland Customer Service
Sent: Friday, October 25, 2024 1:35 PM
To: Kay Lewis
Subject: Test Message for HTC delinquent email

Dear [%ACCT_NAME%],

A friendly reminder that we have not received payment for your bill. A \$2.50 late charge will appear on your next bill.

Payment must be received in full by 9:00am on [%DISCONNECT_DATE%]. Failure to do so will result in suspension of service, resulting in a \$24.00 Reconnect Fee.

Suspension may be postponed or avoided if you make payment arrangements with us by calling 1-800-339-8052 or 611.

We value and Appreciate your business. If your payment has already been sent, we thank you.

Sincerely,
Haviland Broadband
104 N Main St
Haviland, Kansas 67059

*Lifeline assistance available for low-income households. Call to see if you qualify.

*Returned check charge of \$10 plus postage applicable if check returned by bank not-paid.

*For consumer complaints not resolved to your satisfaction with HTC, you have the right to contact the Kansas Corporation Commission at 1-800-662-0027 or kcc.ks.gov.

*To dispute charges on your bill, please contact our office to present support for your dispute and postpone suspension.