

MINUTES OF THE HOUSE ENERGY AND UTILITIES COMMITTEE

The meeting was called to order by Chairman Carl Holmes at 9:00 a.m. on January 20, 2009 in Room DSOB 783 of the Capitol.

All members were present except:
Gail Finney-excused

Committee staff present:
Mary Galligan, Kansas Legislative Research
Cindy Lash, Kansas Legislative Research
Melissa Doeblin, Kansas Legislative Revisor
Mary Torrence, Kansas Legislative Revisor
Renaë Hansen, Administrative Assistant

Conferees appearing before the committee:

Others attending:
Thirty-two including the attached list.

Chairman Holmes asked the committee to sign a sheet letting him know if members are available for sub-committee meetings on Fridays. He noted that we might have sub-committees that would discuss bills on: renewable energy, RPS standards, energy efficiency, and any other topic the chair deems necessary.

He also let the committee know about a Sustainability conference at K-State, (Attachment 1).

Representative Rob Olson moved to introduce a bill allowing law enforcement to do a ping on a cell phone when someone is missing, Representative Dan Johnson seconded the motion. The motion carried.

Hearing on:

HB 2012 - Establishing a deadline for the court of appeals to decide appeals from administrative orders of the state corporation commission.

Proponents:

Kimberly Gencur, ITC, (Attachment 2), spoke to the committee in favor of **HB 2012**.

Opponents:

Judge Gary Rulon, Kansas Court of Appeals, (Attachment 3), spoke to the committee in opposition to **HB 2012** noting the amount of documents needed for cases similar to these, and also the amount of time needed for decisions to be made.

Martha Coffman, KCC, advisory council, (Attachment 4), presented testimony in opposition to **HB 2012**. She noted the amount of time needed to reach a decision was not adequate for the amount of information a judge would need to go through in order to make a sound decision.

Questions were asked and comments made by Representatives: Forrest Knox, Vern Swanson, and Carl Holmes.

The hearing on **HB 2012** was closed.

Hearing on:

HB 2014 - Granting authority to the Kansas Electric Transmission Authority (KETA) to establish and charge reasonable fees for use of facilities owned, financed or administered and

CONTINUATION SHEET

MINUTES OF THE House Energy And Utilities Committee at 9:00 a.m. on January 20, 2009, in Room DSOB 783 of the Capitol.

services rendered by KETA.

Melissa Doeblin, Revisor of Statutes, gave a brief summary to the committee on **HB 2014**.

Questions were asked and comments made by Representative Tom Sloan.

Proponents:

Chairman Carl Holmes explained to the committee why this legislation was brought before the committee. He noted that the Wyoming legislation called for fees because in the western grid they don't have RTO's like we have in the eastern grid. When legislation for KETA (Kansas Electric Transmission Authority), was drafted, it was envisioned that this would come under the rules for SPP. 2 examples: a wind farm or generator that builds 10 - 15 miles from the grid. Right now the wind farm or generation facility has to pay to build to the grid. In Oklahoma there are 2 hubs. They are building spokes like the spokes of a wheel to bring wind farms into production. In Hitchland Oklahoma they are doing this, and in Mooreland Oklahoma they are proposing to do this. And a line between Hitchland and Mooreland are proposed and that will then go to Oklahoma City. This legislation would allow KETA to build those kind of hubs if they are needed. KETA will have to determining cost recovery before lines can be built. Small communities have been turned down for lack of new connection lines. With current statutes, KETA does not have the opportunity to do these kinds of projects. This legislation would allow KETA to partner with wind farm investors and small communities transmission. They cannot with the current legislation that is in place.

Questions were asked and comments made by Representatives Vern Swanson.

The hearing on **HB 2014** was closed.

Hearing on:

HB 2017 - Establishing a deadline for decisions by the state corporation commission.

Melissa Doeblin, Kansas Legislative Revisor, spoke to the committee on what **HB 2017** proposes.

Proponent:

Kimberly Gencur Svaty, ITC Great Plains, (Attachment 5), spoke to the committee in favor of **HB 2017**.

Opponent:

Don Low, KCC, (Attachment 6), noted the commissions' opposition to **HB 2017** because putting a time frame of 140 days on merger and acquisition filings is not enough time to get through the entire process.

The hearing on **HB 2017** was closed.

The next meeting is scheduled for January 21, 2009.

The meeting was adjourned at 10:30 a.m.

HOUSE ENERGY AND UTILITIES COMMITTEE GUEST LIST

DATE: January 20, 2009

NAME	REPRESENTING
LON STANTON	NORTHERN NATURAL GAS
TOM DAY	KCC
Martha Coffman	KCC
Kathy Porter	Judicial Branch
BARRY W. RULON	" " "
Don Low	KCC
Terri Bezek	Judicial Branch
Richard Greene	Court of Appeals
Andy Saucy	ESAFC-CLD
M. Harwell	CEP
Scott Jones	KCP
Mari Tucker	Dept of Commerce
Joe Mosimann	Hein Law Firm
Mark Schreiber	Westar Energy
PHIL WAGGS	KCP
KIMBERLY SYATI	ITC
Joe Dick	KCBPU
Doug Smith	Sunflower Electric
NELSON KRUEGER	PAR



Director of Sustainability
120 Ward Hall
Manhattan, KS 66506-2500
785-313-3085
E-mail: champion@ksu.edu

December 10, 2008

The Honorable Sharon Schwartz
2051 20th Road
Washington, KS 66968

Representative Schwartz,

K-State can be a leader statewide in addressing environmental and social sustainability, and we are committed to comprehensive planning to provide this leadership. To this end, we will host the first statewide conference on sustainability this January 23, 2009 at the K-State Student Union. We would be honored if you would attend.

The conference is titled "*Leading Kansas in Sustainability*", and the program will feature presentations from statewide leaders in sustainability in addition to many of the research and operations programs that are the beginnings of K-State leadership in this area. We encourage you to visit the conference website for more details about the program and its sponsors.

(<http://sustainability.k-state.edu/conferences/leadingkansas>)

Specifically, there are four program items that will be of great interest to you due to current pressing issues statewide. 1) A presidential luncheon where President Wefald will announce and explain the scope of K-State's commitment to addressing sustainability in all areas, 2) a plenary lecture by David Orr, the Paul Sears Distinguished Professor of Environmental Studies and Politics at Oberlin College (http://www.oberlin.edu/envs/faculty_pages/orr.htm), 3) a panel dialogue on statewide energy needs and energy policy led by our Institute for Civic Discourse and Democracy, and 4) a panel discussion of a 50-year Farm Bill proposal for sustainability in land use.

~~_____~~

This conference is being sponsored by the Offices of the President, the Provost, and the Vice Presidents in concert with the new Director of Sustainability for K-State. It is part of an effort we have initiated to develop a vision and road map for sustainability in the 21st Century for K-State. You will hear much more about our efforts in the future as we develop strategies in research/innovation, general education, and in high efficiency campus operations that feature environmental stewardship and social equity as well as economic vitality.

As you know, K-State plays a special role as Kansas's major land-grant research university. We are in a unique position to help chart a path to sustainability statewide. We would love for you to join us in inaugurating these efforts and building partnerships that will lead to an environmentally, socially, and economically resilient future for Kansas.

Sincerely,

Benjamin L. Champion
K-State Director of Sustainability
Co-Chair of the Leading Kansas in Sustainability Conference

HOUSE ENERGY AND UTILITIES
DATE: 1/20/2009
ATTACHMENT 1-1

Leading Kansas in Sustainability: The Role of K-State Sustainability Conference Mail-In/Fax Registration

Please fill out the form below to provide us with the necessary information to process your registration. All information in * red is required. For assistance view the [complete instructions](#).

Name

(Name as you wish it to appear on nametag.) One registration form per person required.

<input type="text"/>	<input type="text"/>	MI	<input type="text"/>
<small>*Prefix</small>	<small>*First</small>		<small>*Last</small>
<input type="radio"/> Male <input type="radio"/> Female			
<input type="text"/>			
<small>Title</small>			
<input type="text"/>		<input type="text"/>	
<small>Company/Institution/Agency</small>		<small>Department/Agency</small>	

Mailing Address

<input type="text"/>	<input type="text"/>
<small>*Street/PO Box</small>	<small>*City</small>
<input type="text"/>	<input type="text"/>
<small>*State/Province</small>	<small>*ZIP (postal code)</small>
<input type="text"/>	<input type="text"/>
<small>*Phone</small>	<small>*E-mail Address</small>
<input type="text"/>	<input type="text"/>

PLEASE NOTE: State only required within the U.S. and its territories. U.S. Postal Regulations have changed. Please check with local postmaster to confirm your correct "deliverable" address.

K-State Sustainability Conf Registration Options

Location K-State Student Union, Manhattan, KS
Date 1/23/2009 to 1/23/2009

Registration Type \$ 85.00
 Non KSU Professional - ~~\$75.00~~

PARKING PERMIT

Parking Permit - A permit is not required if you are staying at the Holiday Inn. 1/23/2009 Yes \$4.00

<http://outreach.ksu.edu/ksumailinfax/default.aspx?Meetingcode=230906>

1/16/2009



**Testimony By ITC Great Plains
HB 2012**

Good morning Mr. Chairman and Honorable Members of the Committee. I am speaking on behalf of Carl Huslig, President of ITC Great Plains, a transmission-only utility based in Topeka, Kansas. This testimony is offered from the perspective of a businessperson operating in Kansas rather than from a lawyer's perspective.

Our decisions related to energy policy over the last year have related a great deal to the notion of regulatory certainty. While I hasten to use this phase in relation to this bill pending before your committee, it is regulatory certainty that is sought and it is regulatory certainty which this bill provides.

In short summary, ITC Great Plains' business model is to serve as an independent transmission builder, owner and operator in the State of Kansas and the surrounding region. ITC Great Plains plans to construct Southwest Power Pool-identified projects in Kansas that increase transmission system reliability, reduce congestion, and provide open, non-discriminatory access to energy resources, including renewable resources. By improving the reliability of Kansas' transmission system, ITC Great Plains will be working to provide consumers in Kansas with equal access to competitively priced electricity and to improve the reliability of the state's transmission system. In addition, the projects that we have proposed for construction in the state of Kansas will require the investment of hundreds of millions of dollars. These sizeable investments represent a significant opportunity for economic development in Kansas.

Regulatory certainty and predictability are critical to a regulated company when making investment decisions. As described, we hope to make major capital investments in Kansas soon and continuing into the future. We think it would be helpful to have a limited timeframe for the Kansas Court of Appeals to rule on appeals from KCC orders. Regulatory certainty and judicial finality in a known and specified time period will allow us and other business operators to make better informed business plans and investment decisions in Kansas. We are aware of and acknowledge the heavy workload of the judges and staff of the Kansas Court of Appeals, and appreciate their diligent attention to their jobs. While this bill will prioritize certain appeals, we hope that it would not increase their overall workload.

Thank you for your consideration.

HOUSE ENERGY AND UTILITIES

DATE: 1/20/2009

ATTACHMENT 2

TESTIMONY OF CHIEF JUDGE GARY W. RULON, KANSAS COURT OF APPEALS

Before the Kansas House of Representatives - Energy and Utilities Committee

Tuesday, January 20, 2009

House Bill 2012

Chairperson Holmes and Members of the Committee:

The Kansas Court of Appeals respectfully suggests that the reduced time frame to issue an appellate decision in rate case appeals, as proposed in HB 2012, is not in the interest of meaningful appellate review and should not be adopted.

Rate case appeals are by far the most voluminous and complex matters to come before our court. Generally, they involve comprehensive review of highly complex and competing expert testimony on issues of accounting, finance, and market dynamics. And due to the numerous parties with an interest in the proceedings, they can involve multiple sets of appellate briefs. As shown by Exhibit 1, the record in a typical case can be extremely voluminous. In order to assure the fair and complete involvement of all interested parties, our court must often schedule sequential activities, as demonstrated by Exhibit 2. Review and comprehension of these matters by our judges is a monumental task that simply cannot be completed with more dispatch than is already required.

In 1992 the Legislature reduced the time for a decision in these cases to 120 days. Based on the 120 day period, Supreme Court Rule 9.02 sets an explicit schedule to permit the parties sufficient time to brief the issues and point out the relevant portions of the record to the Court. After briefing is complete, the Court and its staff have only 30 days to review all the briefs, review the record and conduct its own research before oral argument. This takes considerable time of both the three-judge panel, but also one or more of the Court's more experienced attorneys. After oral argument, the panel has only 30 days to confer about the case, perform additional research, and draft a thorough and well-reasoned opinion that is itself often voluminous. Understand, all of the above is taking place when the judges and research attorneys already have a full load of cases which have been pending for months and are on established dockets. Of course, any party unhappy with the Court's decision can still file a petition for review with the Kansas Supreme Court.

The current 120 day statutory time limit on these appeals is challenging for a Court which currently receives nearly 1800 new cases each year. The Court receives, on average, 3.5 utility rate cases per year. Moreover, the Legislature has mandated that numerous other appeals to this court also be expedited, *i.e.*, Child in Need of Care cases (K.S.A. 38-1591[a], [d]), criminal interlocutory appeals (K.S.A. 22-3603), juvenile offender appeals (K.S.A. 38-1681[a], [c]), appeals regarding the validity of liens on property (K.S.A. 58-4301), and many other types of cases.

Reducing the time for the Court of Appeals to issue a decision in rate case appeals to only 90 days will detrimentally impact the quality of briefing the court receives, as well as the ability of the court to conduct meaningful appellate review of complex issues. Accordingly, the Court respectfully requests the Committee not amend the time frame within which to issue opinions in these cases.

HOUSE ENERGY AND UTILITIES

DATE: 1/20/2009

ATTACHMENT 3-1

96,228

96,251

96,264

UTILITY RATE CASE

IN THE COURT OF APPEALS OF THE STATE OF KANSAS

KANSAS INDUSTRIAL CONSUMERS GROUP, INC.,
RAYTHEON AIRCRAFT COMPANY, CESSNA AIRCRAFT
COMPANY, BUZZI UNICEM USA, GOODYEAR TIRE &
RUBBER COMPANY, COFFEYVILLE RESOURCES
REFINING & MARKETING, LLC, SPIRIT AEROSYSTEMS,
INC., PROTECTIONONE, INC., THE BOEING COMPANY, AND
THE KANSAS HOSPITAL ASSOCIATION,
Petitioners-Appellants,

v.

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS,
Respondent-Appellee.

ORDER

The above-captioned case, docketed with this court on March 16, 2006, is hereby set for hearing at 10:00 a.m. on Thursday, June 15, 2006, in the Supreme Court Courtroom, Third Floor, Kansas Judicial Center, 301 SW 10th Street, Topeka, Kansas before MALONE, P.J., GREEN and CAPLINGER, JJ.

The Court sets a briefing schedule pursuant to Rule 9.02 (2005 Kan. Ct. R. Annot. 69) as follows.

1. Any motions to intervene, motions for involuntary dismissal, or other applicable motions are due on or before Wednesday, April 5, 2006.
2. Petitioner's brief is due on or before Wednesday, April 5, 2006.
3. Respondent's brief is due on or before Tuesday, April 25, 2006.

4. Any Intervenor's brief is due on or before Tuesday, May 9, 2006.

5. Any reply brief is due on or before Tuesday, May 9, 2006.

Because of statutory time deadlines found in K.S.A. 66-118g(b) requiring the issuance of an order by this court within 120 days after the filing of an application for judicial review, no extensions of time for filing briefs and no motions to reschedule the hearing will be granted.

DATED: March 16, 2006.

FOR THE COURT



GARY W. RULON, Chief Judge

COPIES to COUNSEL
Patti
gr



*Kathleen Sebelius, Governor
Thomas E. Wright, Chairman
Michael C. Moffet, Commissioner
Joseph F. Harkins, Commissioner*

**BEFORE THE HOUSE COMMITTEE ON ENERGY AND UTILITIES
PRESENTATION OF THE KANSAS CORPORATION COMMISSION
Regarding HB 2012
January 20, 2008**

Thank you, Chairman and members of the Committee. I appreciate the opportunity to testify. My name is Martha J. Coffman. I appear on behalf of the Kansas Corporation Commission.

The Commission opposes HB 2012. This bill will amend K.S.A. 66-101f to limit the time for the Court of Appeals to decide an appeal of a Commission decision involving an electric public utility to 90 days. This statute would apply to electric public utility appeals of rate cases and merger and acquisition applications. A 90-day limit for the Court of Appeals to review a Commission decision conflicts with K.S.A. 66-118g that gives the Court 120 days to decide rate case appeals. A petition for judicial review of a rate case is filed in the Court of Appeals, but all other appeals involving electric public utilities are first reviewed by a district court. The 90-day limit will shorten time available for briefing and will prevent full development of issues the court must decide that involve complex issues raised in rate cases and merger and acquisition applications. This deadline will not insure quicker decisions because petitions for Supreme Court review have no time limits.

Also, a different bill will be introduced in the House Judiciary Committee to change the scope of judicial review of agency action in the Kansas Act for Judicial Review (the KJRA). That bill will require an agency decision to discuss in more detail evidence in the agency record that supports its decision. In evaluating the agency's order, the Court of Appeals will have a greater burden to review the entire agency record, often filling several boxes with testimony and transcripts, to assure the agency action was proper. This change is unwarranted and can only result in less thorough review by the court on appeals. For these reasons, the Commission opposes HB 2012.

Rules Relating to Supreme Court, Court of Appeals, and Appellate Practice

Rule 9.02

Original Actions

Utility Rate Cases

When an application for judicial review of an order of the state corporation commission is filed in the Court of Appeals, such filing shall be treated for the purpose of further proceedings in the same manner as the docketing of an appeal from the district court, and the rules relating to appellate practice shall apply. An original and five (5) copies of the application shall be filed in addition to the docket fee required by Rule 2.04.

Unless otherwise ordered by the court:

- (a) The record shall be transmitted by the commission to the court forthwith.
- (b) Applicant's brief shall be filed within twenty (20) days after the application for review is filed.
- (c) A respondent's brief shall be filed within twenty (20) days after service of applicant's brief.
- (d) Any reply brief shall be filed not less than five (5) days before the date set for hearing.

Notwithstanding the provisions of Rule 7.02(d), the clerk shall give the attorneys not less than fifteen (15) days' notice of the time and place of hearing.

In cases where a public utility claims the rates allowed by the commission are inadequate, no motion for extension of time to file the utility's brief shall be considered unless it includes or is accompanied by a waiver of the one hundred twenty (120) day time limit imposed by K.S.A. 66-118g(b). So that respondent may have an equal amount of time to file its brief, such waiver shall be to the extent of at least twice the additional time requested by the utility. If a prehearing conference is desired, a motion to that effect shall be filed within five (5) days after the filing of the application for judicial review. A motion for a prehearing conference filed later shall be considered only upon good cause shown.

[History: New Rule effective November 8, 1979; Am. effective July 16, 1980; Am. effective July 1, 1997.]



**Testimony By ITC Great Plains
HB 2017**

Good morning Mr. Chairman and Honorable Members of the Committee. I am speaking on behalf of Carl Huslig, President of ITC Great Plains, a transmission-only utility based in Topeka.

In short summary, the business plan for my company is to serve as an independent transmission builder, owner and operator in the State of Kansas and the surrounding region. ITC Great Plains plans to construct Southwest Power Pool-identified projects in Kansas that increase transmission system reliability, reduce congestion, and provide open, non-discriminatory access to energy resources, including renewable resources. By improving the reliability of Kansas' transmission system, ITC Great Plains will be working to provide consumers in Kansas with equal access to competitively priced electricity and to improve the reliability of the state's transmission system. In addition, the projects that we have proposed for construction in the state of Kansas will require the investment of hundreds of millions of dollars. These sizeable investments represent a significant opportunity for economic development in Kansas.

ITC Great Plains obtained a Certificate of Public Convenience and Authority from the Kansas Corporation Commission in a proceeding initiated on October 13, 2006 and concluded with a Stipulation and Agreement on June 5, 2007. [KCC Docket No. 07-ITCE-380-COC] ITC Great Plains has successfully amended its certificate once in an uncontested proceeding initiated on December 7, 2007 and concluded with an Order of the KCC on March 12, 2008. [KCC Docket No. 08-ITCE-544-COC] This proceeding amended ITC Great Plains certificate to authorize it to build the "KETA project", a high-voltage transmission project from Spearville Substation to Knoll Substation (near Hays, Kansas) to Axtell Substation (located in Southern Nebraska). ITC Great Plains is currently seeking to amend its certificate in a contested KCC proceeding that was filed on April 11, 2008.

As we discussed in HB 2012, regulatory certainty and predictability is critical to a regulated company in making investment decisions. ITC Great Plains intends to make major capital investments in Kansas soon and continuing into the future. We think it would be helpful to have a statutory timeframe for approval or rejection of a certificate of public convenience and authority from the KCC to allow companies to make better informed business plans and investment decisions in Kansas. We believe that any reasonable time limitation that the Committee determines to be appropriate should apply to proceedings to amend existing certificates as well as proceedings to issue new certificates. There are statutory deadlines in place for rate case proceedings which is 240 days for the Commission to issue an order and 120 days for an order to be issued on a siting application. This bill would not set a new precedent which is significant to note regarding a timeline for consideration and issuance of an order.

Thank you for your consideration.

HOUSE ENERGY AND UTILITIES

DATE: 1/20/2009

ATTACHMENT 5



*Kathleen Sebelius, Governor
Thomas E. Wright, Chairman
Michael C. Moffet, Commissioner
Joseph F. Harkins, Commissioner*

**BEFORE THE
HOUSE COMMITTEE ON ENERGY AND UTILITIES
PRESENTATION OF THE KANSAS CORPORATION COMMISSION**

**HB 2017
January 20, 2009**

Thank you, Chairman and members of the Committee. I am Don Low, Director of the Kansas Corporation Commission's Utilities Division. I appreciate the opportunity to testify on behalf of the Commission.

The Commission opposes HB 2017. This bill would impose a 240 day limit on Commission consideration of certificate applications under K.S.A. 66-131. Currently there is no time limitation on such proceedings and the Commission believes that in some complex cases, the 240 days would not allow sufficient time.

Most certificate cases under K.S.A.66-131 are relatively straightforward: new competitive telecommunications companies entering the state; existing electric companies expanding territory or swapping territory with other companies; or a company abandoning a territory. The Commission is able to process almost all such applications in short order – less than 90-120 days.

However, some cases, such as acquisitions and mergers of utility companies, can be very complex and involve significant changes in how the serving company operates and its cost structure and financial picture. Moreover, sometimes the detailed terms and conditions of the acquisition and merger aren't known when the certificate application is first made and sometimes such details are significantly changed. Thus, in a few cases, the Commission staff and

Commission may not be able to adequately review the full impacts of a proposed transaction on ratepayers and the public interest within 240 days.

The bill does allow the applicant to extend the 240 deadline in writing. This certainly helps since I suspect in many cases that the Commission could count on cooperation on an extension when needed. However, I also can imagine situations where an applicant may not be willing to extend the deadline and prefers to take the risk that the Commission won't or legally can't deny an application because of inadequate time to investigate and consider the certificate application. In such circumstances, a 240 day limitation greatly diminishes the Commission ability to protect the public interest. If the Committee desires, I can discuss some examples of mergers and acquisitions that required some time to resolve.

Thank you for your consideration. I would be pleased to answer questions.

Susan Kannarr, Chief Clerk
Kansas House of Representatives
Statehouse
Topeka, Kansas 66612

January 7, 2009

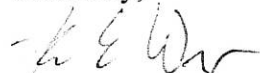
Pat Saville, Secretary
Kansas Senate
Statehouse
Topeka, Kansas 66612

RE: Report to the Legislature concerning the availability of Broadband services in the State of Kansas, as directed by the 2008 Legislature in Senate Bill No. 570, Section 6(a).

Senate Bill No. 570, Section 6(a), directed the Kansas Corporation Commission (Commission) to report to the Legislature on broadband service availability in the state of Kansas. Specifically, the report is to include: "(1) A report by census tract or other identifiable geographic unit indicating whether broadband service is available and the number of providers that offer service in each census tract;" The attached report is responsive to that directive.

This report was prepared by the Telecommunications Section of the Commission's staff. Mr. Guy McDonald, 271-3230, g.mcdonald@kcc.ks.gov and/or Ms. Janet Buchanan, 271-3293, j.buchanan@kcc.ks.gov are familiar with its contents and preparation.

Sincerely,


Thomas E. Wright, Chairman


Michael C. Moffet, Commissioner


Joe F. Harkins, Commissioner

cc: File Docket 09-GIMT-045-GIT

A Report to the 2009 Legislature Concerning the
Availability of Broadband Service in the State of Kansas

Availability of Broadband Service in the State of Kansas

Senate Bill No. 570, (SB 570) Section 6(a), directed the Kansas Corporation Commission (Commission) to report to the Legislature on broadband service being provided in the state of Kansas. Specifically, the report is to include: “(1) A report by census tract or other identifiable geographic unit indicating whether broadband service is available and the number of providers that offer service in each census tract;” This report is responsive to that directive.

Because of its broad social/economic impact, deployment of broadband services has become a national priority and has been the focus of much legislative and regulatory attention in recent years. Typically this service is used by an end user consumer to access the Internet. This service has been declared to be an interstate service by the Federal Communications Commission (FCC) and thus is not under the jurisdiction of state public service commissions.

In order to clarify provisions of SB 570 and to provide guidance to the industry and staff, the Commission opened a general investigation (Docket No. 09-GIMT-045-GIT) into the implementation of SB 570. The proceeding culminated with an Order dated October 1, 2008:

- Relieving the broadband service providers of their obligation to report deployment information to the commission no later than October 1, 2008, due to paralleling action by the FCC in its Report and Order and Further Notice of Proposed Rulemaking (FCC 08-89), released June 2, 2008.
- Accepting the FCC’s definition of broadband service as being *any synchronous or asynchronous transmission technology capable of speeds of at least 200 kilobits per second in at least one direction* for the current reporting period. Staff notes that future reporting will be by eight distinct speed categories, thus providing a more precise view of broadband deployment.
- Directing staff to develop a Legislative Broadband Service Report utilizing the latest ZIP code information available from the FCC, with subsequent Reports to be based on census tract data collected by the FCC.
- Directing staff to evaluate and report on the use of an independent third party in the gathering and reporting of broadband data.

The reader may access the entire proceeding, including industry responses, through the Commission’s website at <http://www.kcc.ks.gov/docket/docket.htm> and entering 09-GIMT-045-GIT in the “Docket # Search” window.

How does Kansas compare?

In order to track and determine the deployment status of this service, the FCC has established a data gathering process whereby all facilities based service providers (wireline, cable, wireless, etc.) report, semi-annually, selected data concerning their high-speed/broadband service offerings. This process is facilitated by use of the FCC’s Form 477 *Local Telephone Competition and Broadband Reporting*. The broadband deployment portion of this data collection is based on geographical ZIP codes in which the reporting service provider has at least one connection.

How does Kansas compare? (Continued)

By relying on FCC data the reader is assured of definitional consistency between states and historical consistency. Following are brief excerpts from the FCC's most recent report of June 30, 2007, data¹:

Number of Broadband Service Providers, by Technology, as of 6-30-2007 (Table 8).

<u>State</u>	<u>ADSL</u>	<u>Cable</u>	<u>Other</u> *	<u>Total No. Unduplicated Providers</u>	<u>+/- from 12-06</u>
Kansas	38	24	72	81	- 2
Missouri	40	17	80	88	+ 5
Oklahoma	40	10	56	72	+ 3
Colorado	28	11	59	62	- 1
Nebraska	34	15	55	65	- 2

* Other includes wire-line technologies, other than ADSL, fiber optics to the subscriber's premises, satellite, terrestrial wireless systems, Power Line, etc.

This table data shows that Kansas has attracted 81 broadband service providers (a loss of 2 from Dec. 2006) and compares favorably with adjacent states.

Percentage of ZIP Codes with Broadband Lines in Service, a/o 6-30-2007 (Table 17)

<u>State</u>	----- Number of Service Providers -----									
	<u>0</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>9</u>	<u>≥10</u>	
Kansas	0%	0%	5%	12%	14%	15%	11%	8%	17%	
Missouri	0	2	5	12	15	17	13	7	11	
Oklahoma	0	1	4	8	17	17	13	8	11	
Colorado	0	0	1	4	7	14	15	5	33	
Nebraska	0	0	1	6	18	22	19	7	7	
Nationwide	0	1	4	7	11	14	13	7	23	

These data indicate another favorable comparison with adjacent states and nationally, with all geographical ZIP codes in Kansas having at least two service providers and 15% having five providers. With the availability of new and developing technologies, it is expected that additional deployment will continue and additional choices will be made available to consumers.

¹ Federal Communications Commission news release dated March 19, 2008, *Federal Communications Commission Releases Data on High-Speed Services for Internet Access.* <http://www.fcc.gov/wcb/iatd/stats.html>

How does Kansas look internally?

Attachment A to this report presents the number of service providers in each Kansas geographical ZIP code having at least one broadband subscriber, by county. A review of the detailed data reinforces the FCC's summation presented above in Table 17, wherein 0% of Kansas ZIP codes are shown to have either zero or one broadband subscriber. This is not to suggest that broadband service is ubiquitously available through out the state. Within ZIP code boundaries, some of which cover many square miles, there are un-served population pockets; however, the FCC's current data collection methodology is not sufficiently sensitive to identify those un-served pockets.

Attachment B is a one page ZIP code map showing the number of broadband service providers with at least one broadband subscriber within the respective ZIP codes.

Broadband Lines (in service) by Technology, as of 6-30-2007 (Table 9)

Kansas:	<u>ADSL</u>	<u>Cable</u>	<u>Other *</u>	<u>Total</u>
- 12/06	202,751	349,684	203,487	755,922
- 6/07	216,800 (+7%)	351,371 (+.5%)	300,940 (+48%)	869,111 (+15%)
% of Total	25%	40%	35%	
National:				
- 12/06	19.5M	25.5M	25.1M	82.5M
- 6/07	27.5M (+8%)	34.4M (+7.5%)	38.3M (+28.7%)	100.2M (+21.5%)
% of Total	28%	34%	38%	

*Other includes wire-line technologies, other than ADSL, fiber optics to the subscriber's premises, satellite, terrestrial wireless systems, Power Line, etc.

Clearly the predominate technology used in Kansas for delivery of broadband service is cable (40%), followed by a mix of other technologies (35%) with asymmetric digital subscriber line (ADSL), typically provided by facilities-based local exchange carriers, accounting for 25%.

The data indicates that the technology mix in Kansas is consistent with national deployment trends and that the overall six month growth rate (15% v. 21%) for Kansas is slightly less than the national rate.

Ongoing activity

As stated above, deployment of broadband service has become a national priority and has been the focus of much legislative and regulatory attention. Continuing its role in fostering the deployment of broadband service, the FCC recently released an Order² amending its Form 477 data-collection process. These revisions are expected to "greatly improve the ability of the Commission to understand the extent of broadband deployment, and will enable the Commission

2 Report and Order and Further Notice of Proposed Rulemaking (FCC 08-89), released June 12, 2008.

Ongoing activity (Continued)

to continue to develop and maintain appropriate broadband policies, in particular to carry out its obligation under section 706 of the Telecommunications Act of 1996 to determine whether advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion.³ Among other revisions, the Report and Order:

- “Amend[s] our local telephone competition and broadband data collection (FCC Form 477) to refine and expand the information collected in a variety of ways. Enhancing the granularity in the data we currently collect, and combining that data with new information about subscribership, will greatly improve our own understanding of the state of broadband services in this country and enable us to assist others in fostering broadband deployment.”⁴

More specifically the Report and Order requires:

- “facilities-based providers of wired, terrestrial fixed wireless, and satellite broadband connections to report the number of connections that they have in service to households and businesses in each of the Census Tracts in which they operate. We require these providers to report subscriptions in separate categories based on the speeds of the services. This information will provide us with a highly detailed and reliable account of broadband subscription and deployment nationwide, enabling us to make more informed policy determinations and to support more effectively the efforts of states and others seeking to promote broadband services. Because of the volume of information being reported, we require providers to supply, in a standardized database format, the number of subscribers in each Census Tract, broken down by technology type and upload and download speed.”⁵

This change in reporting will occur with the March 2009, reporting of December 31, 2008 data and is expected to provide interested parties with additional analytical and demographic information regarding the deployment of broadband services; however, some geographical granularity may be lost, especially in rural counties, due to the non alignment of ZIP code and census tract boundaries which are sized for very different purposes. The Commission’s staff will be monitoring this data closely.

In addition to the shift in data collection from ZIP code boundaries to Census Tract boundaries, the FCC is also pursuing a standard mapping program with the objective of creating a detailed map of broadband availability nationwide⁷.

In a closely related order⁵, the FCC highlighted actions taken since its Fourth Order⁶ to facilitate and advance the deployment of broadband. Those actions include:

- Developments in last-mile technologies (Part III of the Fifth Order), consisting mainly of advancing technical standards and improvements in all involved technologies.

3 Id at Parg. 1

4 Id at Parg. 9

5 Id at Parg. 14

5 *Fifth Report* (FCC 08-88), released June 12, 2008.

6 *Fourth Report* (FCC 04-208), released September 9, 2004.

7 *Report and Order and Further Notice of Proposed Rulemaking* (FCC 08-89), released June 12, 2008, Pargs. 34-35.

Ongoing activity (Continued)

- Developments in services, applications and devices (Part IV of the Fifth Order) consisting mainly of significant advancements in software and consumer devices used to access the Internet, and.
- FCC action(s) (Part V, B, of the Fifth Order) consisting mainly of revised regulatory rules pertaining to fiber in the loop, reassignment of radio frequency spectrum for additional licensed and unlicensed broadband technologies and allocation of additional spectrum for satellite based broadband service

Third Party Data Gathering

During the course of the general investigation into this data gathering and reporting effort, it was recommended that the Commission consider utilizing the service of an independent third party, such as Connected Nation. Staff determined that it had the needed resources to meet the initial data gathering and reporting requirements of SB 570; however, staff is amiable to use of an independent third party for subsequent reporting.

Number of Broadband Service Providers,
By Zip Code

<u>County (1)</u>	<u>City (1)</u>	<u>Geographical Zip Codes (1)</u>	<u>Number of Broadband Svc. Providers (2)</u>
Allen	- Elsmore	66732	1 to 3
	- Humboldt	66748	7
	- Iola	66749	12
	- La Harpe	66751	5
	- Moran	66755	7
	- Savonburg	66772	4
Anderson	- Centerville	66014	5
	- Colony	66015	6
	- Garnett	66032	7
	- Greeley	66033	5
	- Kincaid	66039	5
	- Welda	66091	4
Atchison	- Westphalia	66093	5
	- Atchison	66002	13
	- Cummings	66016	7
	- Effingham	66023	6
	- Lancaster	66041	4
	- Muscotah	66058	1 to 3
Barber	- Hardtner	67057	1 to 3
	- Hazelton	67061	1 to 3
	- Isabel	67065	5
	- Kiowa	67070	4
	- Lake City	67071	1 to 3
	- Medicine Lodge	67104	9
	- Sharon	67138	1 to 3
	- Sun City	67143	1 to 3
Barton	- Albert	67511	4
	- Claflin	67525	5
	- Ellinwood	67526	7
	- Great Bend	67530	10
	- Hoisington	67544	5
	- Olmitz	67564	1 to 3
	- Pawnee Rock	67567	5
	- Fort Scott	66701	9
Bourbon	- Bronson	66716	5
	- Fulton	66738	5

Number of Broadband Service Providers,
By Zip Code

<u>County</u> (1)	<u>City</u> (1)	<u>Geographical Zip Codes</u> (1)	<u>Number of Broadband Svc. Providers</u> (2)
Brown	- Garland	66741	5
	- Mapleton	66754	1 to 3
	- Redfield	66769	1 to 3
	- Uniontown	66779	1 to 3
	- Everest	66424	1 to 3
	- Fairview	66425	5
	- Hiawatha	66434	9
	- Horton	66439	7
	- Morrill	66515	5
	- Powhattan	66527	5
Butler	- Robinson	66532	1 to 3
	- Cassoday	66842	5
	- Andover	67002	11
	- Augusta	67010	11
	- Benton	67017	11
	- Douglass	67039	10
	- El Dorado	67042	12
	- Latham	67072	1 to 3
	- Leon	67074	9
	- Potwin	67123	4
	- Rosalia	67132	4
	- Rose Hill	67133	10
	- Towanda	67144	11
	- Whitewater	67154	10
Chase	- Cedar Point	66843	1 to 3
	- Cottonwood Falls	66845	6
	- Elmdale	66850	1 to 3
	- Matfield Green	66862	1 to 3
	- Strong City	66869	8
Chautauqua	- Cedar Vale	67024	7
	- Niotaze	67355	6
	- Peru	67360	4
Cherokee	- Sedan	67361	6
	- Baxter Springs	66713	5
	- Columbus	66725	8
	- Crestline	66728	1 to 3

Number of Broadband Service Providers,
By Zip Code

<u>County (1)</u>	<u>City (1)</u>	<u>Geographical Zip Codes (1)</u>	<u>Number of Broadband Svc. Providers (2)</u>
	- Galena	66739	8
	- Riverton	66770	1 to 3
	- Scammon	66773	6
	- Treece	66778	1 to 3
	- Weir	66781	6
Cheyenne	- Bird City	67731	9
	- Saint Francis	67756	8
Clark	- Ashland	67831	4
	- Englewood	67840	1 to 3
	- Minneola	67865	6
Clay	- Clay Center	67432	9
	- Green	67447	6
	- Longford	67458	7
	- Morganville	67468	6
	- Wakefield	67487	8
Cloud	- Concordia	66901	10
	- Clyde	66938	6
	- Jamestown	66948	8
	- Aurora	67417	7
	- Glasco	67445	4
	- Miltonvale	67466	4
Coffey	- Neosho Falls	66758	1 to 3
	- Burlington	66839	7
	- Gridley	66852	6
	- Lebo	66856	6
	- Le Roy	66857	5
	- Waverly	66871	6
Comanche	- Coldwater	67029	7
	- Protection	67127	4
	- Wilmore	67155	1 to 3
Cowley	- Arkansas City	67005	11
	- Atlanta	67008	1 to 3
	- Burden	67019	4
	- Cambridge	67023	4
	- Dexter	67038	4
	- Maple City	67102	1 to 3

Number of Broadband Service Providers,
By Zip Code

<u>County</u> (1)	<u>City</u> (1)	<u>Geographical Zip Codes</u> (1)	<u>Number of Broadband Svc. Providers</u> (2)
Crawford	- Rock	67131	1 to 3
	- Udall	67146	6
	- Winfield	67156	11
	- Arcadia	66711	5
	- Arma	66712	4
	- Cherokee	66724	4
	- Farlington	66734	1 to 3
	- Franklin	66735	1 to 3
	- Girard	66743	5
	- Hepler	66746	1 to 3
	- Mc Cune	66753	6
	- Mulberry	66756	5
	- Pittsburg	66762	12
	- Frontenac	66763	8
	- Walnut	66780	1 to 3
Decatur	- Dresden	67635	4
	- Jennings	67643	1 to 3
	- Norcatur	67653	7
	- Oberlin	67749	8
	Dickinson	- Abilene	67410
- Chapman		67431	10
- Enterprise		67441	9
- Herington		67449	9
- Hope		67451	6
- Solomon		67480	8
- Talmage		67482	7
- Woodbine		67492	4
Doniphan		- Bendena	66008
	- Denton	66017	1 to 3
	- Highland	66035	5
	- Troy	66087	7
	- Wathena	66090	9
	- White Cloud	66094	5
Douglas	- Baldwin City	66006	10
	- Eudora	66025	9
	- Lawrence	66044	11

Number of Broadband Service Providers,
By Zip Code

<u>County (1)</u>	<u>City (1)</u>	<u>Geographical Zip Codes (1)</u>	<u>Number of Broadband Svc. Providers (2)</u>
	- Lawrence	66045	4
	- Lawrence	66046	10
	- Lawrence	66047	7
	- Lawrence	66049	10
Edwards	- Belpre	67519	4
	- Kinsley	67547	8
	- Lewis	67552	5
	- Offerle	67563	4
Elk	- Elk Falls	67345	4
	- Grenola	67346	4
	- Howard	67349	6
	- Longton	67352	1 to 3
	- Moline	67353	4
Ellis	- Hays	67601	12
	- Catharine	67627	5
	- Ellis	67637	6
	- Pfeifer	67660	1 to 3
	- Victoria	67671	4
	- Walker	67674	1 to 3
Ellsworth	- Ellsworth	67439	7
	- Holyrood	67450	1 to 3
	- Kanopolis	67454	5
	- Lorraine	67459	5
	- Wilson	67490	5
Finney	- Garden City	67846	10
	- Holcomb	67851	5
	- Pierceville	67868	1 to 3
Ford	- Dodge City	67801	13
	- Bucklin	67834	6
	- Ford	67842	1 to 3
	- Spearville	67876	4
	- Wright	67882	6
Franklin	- Lane	66042	6
	- Ottawa	66067	13
	- Pomona	66076	7
	- Princeton	66078	7

Number of Broadband Service Providers,
By Zip Code

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<u>County (1)</u>	<u>City (1)</u>	<u>Geographical Zip Codes (1)</u>	<u>Number of Broadband Svc. Providers (2)</u>
	- Rantoul	66079	5
	- Richmond	66080	6
	- Wellsville	66092	9
	- Williamsburg	66095	6
Geary	- Junction City	66441	13
	- Fort Riley	66442	8
	- Milford	66514	7
Gove	- Gove	67736	1 to 3
	- Grainfield	67737	1 to 3
	- Grinnell	67738	1 to 3
	- Park	67751	1 to 3
	- Quinter	67752	4
Graham	- Bogue	67625	1 to 3
	- Hill City	67642	4
	- Morland	67650	1 to 3
	- Penokee	67659	1 to 3
Grant	- Ulysses	67880	6
Gray	- Cimarron	67835	4
	- Copeland	67837	4
	- Ensign	67841	1 to 3
	- Ingalls	67853	1 to 3
	- Montezuma	67867	1 to 3
Greeley	- Tribune	67879	4
Greenwood	- Hamilton	66853	6
	- Madison	66860	6
	- Virgil	66870	5
	- Eureka	67045	9
	- Fall River	67047	4
	- Piedmont	67122	4
	- Severy	67137	4
Hamilton	- Coolidge	67836	4
	- Kendall	67857	1 to 3
	- Syracuse	67878	1 to 3
Harper	- Anthony	67003	7
	- Attica	67009	6
	- Bluff City	67018	1 to 3

Number of Broadband Service Providers,
By Zip Code

<u>County (1)</u>	<u>City (1)</u>	<u>Geographical Zip Codes (1)</u>	<u>Number of Broadband Svc. Providers (2)</u>	
Harvey	- Danville	67036	1 to 3	
	- Freeport	67049	1 to 3	
	- Harper	67058	6	
	- Waldron	67150	1 to 3	
	- Burrton	67020	9	
	- Halstead	67056	13	
	- Hesston	67062	8	
	- Newton	67114	14	
	- North Newton	67117	7	
	- Sedgwick	67135	11	
Haskell	- Walton	67151	6	
	- Satanta	67870	1 to 3	
Hodgeman	- Sublette	67877	6	
	- Hanston	67849	1 to 3	
Jackson	- Jetmore	67854	4	
	- Circleville	66416	6	
	- Delia	66418	6	
	- Denison	66419	6	
	- Holton	66436	9	
	- Hoyt	66440	8	
	- Mayetta	66509	7	
	- Netawaka	66516	5	
	- Soldier	66540	7	
	- Whiting	66552	1 to 3	
	Jefferson	- Mc Louth	66054	8
		- Nortonville	66060	8
		- Oskaloosa	66066	9
- Ozawkie		66070	7	
- Perry		66073	8	
- Valley Falls		66088	8	
- Winchester		66097	7	
- Grantville		66429	6	
Jewell	- Meriden	66512	10	
	- Burr Oak	66936	5	
	- Esbon	66941	6	
	- Formoso	66942	5	

Number of Broadband Service Providers,
By Zip Code

<u>County</u> (1)	<u>City</u> (1)	<u>Geographical</u> <u>Zip Codes</u> (1)	Number of <u>Broadband Svc.</u> <u>Providers</u> (2)
Johnson	- Jewell	66949	6
	- Mankato	66956	7
	- Randall	66963	5
	- Webber	66970	5
	- De Soto	66018	9
	- Edgerton	66021	10
	- Gardner	66030	12
	- New Century	66031	5
	- Olathe	66061	13
	- Olathe	66062	16
	- Spring Hill	66083	12
	- Stilwell	66085	10
	- Mission	66202	13
	- Shawnee	66203	11
	- Overland Park	66204	11
	- Mission	66205	12
	- Leawood	66206	9
	- Overland Park	66207	10
	- Prairie Village	66208	8
	- Leawood	66209	9
	- Overland Park	66210	12
	- Leawood	66211	13
	- Overland Park	66212	11
	- Overland Park	66213	13
	- Overland Park	66214	11
	- Lenexa	66215	14
	- Shawnee	66216	10
	- Shawnee	66217	8
	- Shawnee	66218	6
	- Lenexa	66219	8
	- Lenexa	66220	8
	- Overland Park	66221	8
- Overland Park	66223	11	
- Overland Park	66224	10	
- Shawnee	66226	7	
- Lenexa	66227	7	

Number of Broadband Service Providers,
By Zip Code

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<u>County</u> (1)	<u>City</u> (1)	<u>Geographical Zip Codes</u> (1)	<u>Number of Broadband Svc. Providers</u> (2)
Kearny	- Deerfield	67838	1 to 3
	- Lakin	67860	1 to 3
Kingman	- Cunningham	67035	8
	- Kingman	67068	10
	- Murdock	67111	5
	- Nashville	67112	1 to 3
	- Norwich	67118	5
	- Spivey	67142	5
	- Zenda	67159	1 to 3
Kiowa	- Greensburg	67054	7
	- Haviland	67059	6
	- Mullinville	67109	5
Labette	- Altamont	67330	6
	- Bartlett	67332	1 to 3
	- Chetopa	67336	7
	- Dennis	67341	1 to 3
	- Edna	67342	5
	- Mound Valley	67354	5
	- Oswego	67356	6
	- Parsons	67357	12
	- Dighton	67839	1 to 3
Lane	- Healy	67850	4
	- Basehor	66007	7
Leavenworth	- Easton	66020	10
	- Fort Leavenworth	66027	8
	- Lansing	66043	9
	- Leavenworth	66048	12
	- Linwood	66052	8
	- Tonganoxie	66086	8
	- Barnard	67418	4
Lincoln	- Beverly	67423	4
	- Lincoln	67455	6
	- Sylvan Grove	67481	4
Linn	- Blue Mound	66010	5
	- La Cygne	66040	7
	- Mound City	66056	7

Number of Broadband Service Providers,
By Zip Code

<u>County (1)</u>	<u>City (1)</u>	<u>Geographical Zip Codes (1)</u>	<u>Number of Broadband Svc. Providers (2)</u>
	- Parker	66072	6
	- Pleasanton	66075	5
	- Prescott	66767	5
Logan	- Oakley	67748	8
	- Winona	67764	5
Lyon	- Emporia	66801	14
	- Admire	66830	6
	- Allen	66833	4
	- Americus	66835	5
	- Hartford	66854	7
	- Neosho Rapids	66864	5
	- Olpe	66865	5
	- Reading	66868	8
Marion	- Burns	66840	8
	- Florence	66851	5
Marion	- Lincolnville	66858	1 to 3
	- Lost Springs	66859	1 to 3
	- Marion	66861	7
	- Peabody	66866	5
	- Goessel	67053	4
	- Hillsboro	67063	9
	- Lehigh	67073	4
	- Durham	67438	4
	- Ramona	67475	4
	- Tampa	67483	5
Marshall	- Axtell	66403	4
	- Beattie	66406	4
	- Blue Rapids	66411	9
	- Bremen	66412	4
	- Frankfort	66427	6
	- Home	66438	1 to 3
	- Marysville	66508	9
	- Oketo	66518	1 to 3
	- Summerfield	66541	1 to 3
	- Vermillion	66544	1 to 3
	- Waterville	66548	5

Number of Broadband Service Providers,
By Zip Code

<u>County</u> (1)	<u>City</u> (1)	<u>Geographical Zip Codes</u> (1)	<u>Number of Broadband Svc. Providers</u> (2)
McPherson	- Moundridge	67107	7
	- Canton	67428	6
	- Galva	67443	1 to 3
	- Lindsborg	67456	9
	- McPherson	67460	11
	- Marquette	67464	5
	- Roxbury	67476	4
	- Windom	67491	5
	- Inman	67546	10
Meade	- Fowler	67844	6
	- Meade	67864	8
	- Plains	67869	6
Miami	- Bucyrus	66013	12
	- Fontana	66026	6
	- Louisburg	66053	10
	- Osawatomie	66064	9
	- Paola	66071	14
Mitchell	- Beloit	67420	10
	- Cawker City	67430	5
	- Glen Elder	67446	4
	- Hunter	67452	4
	- Simpson	67478	1 to 3
	- Tipton	67485	1 to 3
Montgomery	- Independence	67301	9
	- Caney	67333	7
	- Cherryvale	67335	8
	- Coffeyville	67337	12
	- Elk City	67344	5
	- Havana	67347	4
	- Liberty	67351	5
Morris	- Burdick	66838	1 to 3
	- Council Grove	66846	6
	- Dwight	66849	5
	- White City	66872	5
	- Wilsey	66873	1 to 3
Morton	- Elkhart	67950	4

Number of Broadband Service Providers,
By Zip Code

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<u>County (1)</u>	<u>City (1)</u>	<u>Geographical Zip Codes (1)</u>	<u>Number of Broadband Svc. Providers (2)</u>
Nemaha	- Richfield	67953	1 to 3
	- Rolla	67954	4
	- Baileyville	66404	5
	- Bern	66408	5
	- Centralia	66415	5
	- Corning	66417	5
	- Goff	66428	8
	- Oneida	66522	1 to 3
	- Sabetha	66534	9
	- Seneca	66538	9
Neosho	- Wetmore	66550	6
	- Chanute	66720	10
	- Erie	66733	9
	- Galesburg	66740	5
	- Saint Paul	66771	5
	- Stark	66775	1 to 3
	- Thayer	66776	4
Ness	- Arnold	67515	1 to 3
	- Bazine	67516	1 to 3
	- Beeler	67518	1 to 3
	- Brownell	67521	1 to 3
	- Ness City	67560	4
	- Ransom	67572	1 to 3
	- Utica	67584	1 to 3
	- Almena	67622	4
Norton	- Clayton	67629	5
	- Lenora	67645	1 to 3
	- Norton	67654	7
Osage	- Burlingame	66413	9
	- Carbondale	66414	10
	- Lyndon	66451	7
	- Melvern	66510	6
	- Osage City	66523	10
	- Overbrook	66524	8
	- Quenemo	66528	6
	- Scranton	66537	9

Number of Broadband Service Providers,
By Zip Code

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<u>County (1)</u>	<u>City (1)</u>	<u>Geographical Zip Codes (1)</u>	<u>Number of Broadband Svc. Providers (2)</u>
Osborne	- Vassar	66543	6
	- Downs	67437	5
	- Osborne	67473	5
	- Portis	67474	4
	- Alton	67623	4
Ottawa	- Natoma	67651	1 to 3
	- Bennington	67422	6
	- Delphos	67436	5
	- Minneapolis	67467	8
	- Tescott	67484	6
Pawnee	- Burdett	67523	1 to 3
	- Garfield	67529	1 to 3
	- Larned	67550	10
	- Rozel	67574	1 to 3
Phillips	- Agra	67621	1 to 3
	- Glade	67639	4
	- Kirwin	67644	5
	- Logan	67646	1 to 3
	- Long Island	67647	1 to 3
	- Phillipsburg	67661	8
	- Prairie View	67664	4
	- Belvue	66407	5
Pottawatomie	- Emmett	66422	4
	- Havensville	66432	4
	- Olsburg	66520	6
	- Onaga	66521	5
	- Saint George	66535	5
	- Saint Marys	66536	8
	- Wamego	66547	7
	- Westmoreland	66549	6
Pratt	- Byers	67021	1 to 3
	- Coats	67028	4
	- Iuka	67066	1 to 3
	- Pratt	67124	12
	- Sawyer	67134	5
Rawlins	- Atwood	67730	9

Number of Broadband Service Providers,
By Zip Code

<u>County</u> (1)	<u>City</u> (1)	<u>Geographical Zip Codes</u> (1)	<u>Number of Broadband Svc. Providers</u> (2)
Reno	- Herndon	67739	4
	- Ludell	67744	5
	- Mc Donald	67745	6
	- Hutchinson	67501	12
	- Hutchinson	67502	12
	- South Hutchinson	67505	7
	- Abbyville	67510	1 to 3
	- Arlington	67514	6
	- Buhler	67522	7
	- Haven	67543	8
	- Nickerson	67561	8
	- Partridge	67566	4
	- Plevna	67568	1 to 3
	- Pretty Prairie	67570	7
	- Sylvia	67581	4
Republic	- Turon	67583	8
	- Agenda	66930	4
	- Belleville	66935	7
	- Courtland	66939	5
	- Cuba	66940	5
	- Munden	66959	5
	- Narka	66960	4
	- Norway	66961	1 to 3
	- Republic	66964	4
	- Scandia	66966	7
Rice	- Bushton	67427	1 to 3
	- Geneseo	67444	5
	- Little River	67457	1 to 3
	- Alden	67512	1 to 3
	- Chase	67524	5
	- Lyons	67554	9
	- Raymond	67573	1 to 3
	- Sterling	67579	7
Riley	- Leonardville	66449	7
	- Manhattan	66502	14
	- Manhattan	66503	11

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<u>County (1)</u>	<u>City (1)</u>	<u>Geographical Zip Codes (1)</u>	<u>Number of Broadband Svc. Providers (2)</u>	
Rooks	- Manhattan	66506	5	
	- Ogden	66517	7	
	- Riley	66531	7	
	- Randolph	66554	6	
	- Damar	67632	4	
	- Palco	67657	1 to 3	
	- Plainville	67663	9	
	- Stockton	67669	7	
Rush	- Woodston	67675	4	
	- Alexander	67513	1 to 3	
	- Bison	67520	4	
	- La Crosse	67548	8	
	- Liebenthal	67553	4	
	- Mc Cracken	67556	4	
	- Nekoma	67559	1 to 3	
	- Otis	67565	4	
	- Rush Center	67575	4	
	Russell	- Bunker Hill	67626	5
- Dorrance		67634	4	
- Gorham		67640	4	
- Lucas		67648	5	
- Luray		67649	4	
- Paradise		67658	5	
- Russell		67665	6	
- Waldo		67673	1 to 3	
Saline		- Salina	67401	11
		- Assaria	67416	5
	- Brookville	67425	7	
	- Falun	67442	6	
	- Gypsum	67448	8	
	- New Cambria	67470	6	
	- Scott City	67871	7	
Scott Sedgwick	- Andale	67001	8	
	- Bentley	67016	6	
	- Cheney	67025	11	
	- Clearwater	67026	9	

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<u>County (1)</u>	<u>City (1)</u>	<u>Geographical Zip Codes (1)</u>	<u>Number of Broadband Svc. Providers (2)</u>
	- Colwich	67030	10
	- Derby	67037	13
	- Garden Plain	67050	8
	- Goddard	67052	11
	- Greenwich	67055	5
	- Haysville	67060	11
	- Kechi	67067	9
	- Maize	67101	9
	- Mount Hope	67108	7
	- Mulvane	67110	13
	- Peck	67120	8
	- Valley Center	67147	10
	- Viola	67149	7
	- Wichita	67202	12
	- Wichita	67203	10
	- Wichita	67204	9
	- Wichita	67205	11
	- Wichita	67206	11
	- Wichita	67207	10
	- Wichita	67208	9
	- Wichita	67209	11
	- Wichita	67210	9
	- Wichita	67211	11
	- Wichita	67212	10
	- Wichita	67213	12
	- Wichita	67214	11
	- Wichita	67215	10
	- Wichita	67216	10
	- Wichita	67217	11
	- Wichita	67218	10
	- Wichita	67219	10
	- Wichita	67220	10
	- McConnell AFB	67221	6
	- Wichita	67223	8
	- Wichita	67226	11
	- Wichita	67227	10

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<u>County (1)</u>	<u>City (1)</u>	<u>Geographical Zip Codes (1)</u>	<u>Number of Broadband Svc. Providers (2)</u>
	- Wichita	67228	10
	- Wichita	67230	11
	- Wichita	67232	8
	- Wichita	67235	9
	- Wichita	67260	5
Seward	- Kismet	67859	4
	- Liberal	67901	9
Shawnee	- Lecompton	66050	8
	- Auburn	66402	10
	- Berryton	66409	9
	- Rossville	66533	8
	- Silver Lake	66539	8
	- Tecumseh	66542	9
	- Wakarusa	66546	8
	- Topeka	66603	13
	- Topeka	66604	11
	- Topeka	66605	12
	- Topeka	66606	10
	- Topeka	66607	10
	- Topeka	66608	11
	- Topeka	66609	9
	- Topeka	66610	10
	- Topeka	66611	12
	- Topeka	66612	12
	- Topeka	66614	13
	- Topeka	66615	11
	- Topeka	66616	9
	- Topeka	66617	12
	- Topeka	66618	13
	- Topeka	66619	9
Sheridan	- Hoxie	67740	8
	- Selden	67757	4
Sherman	- Edson	67733	1 to 3
	- Goodland	67735	10
	- Kanorado	67741	5
Smith	- Athol	66932	1 to 3

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<u>County (1)</u>	<u>City (1)</u>	<u>Geographical Zip Codes (1)</u>	<u>Number of Broadband Svc. Providers (2)</u>
	- Kensington	66951	5
	- Lebanon	66952	5
	- Smith Center	66967	7
	- Cedar	67628	4
	- Gaylord	67638	1 to 3
Stafford	- Hudson	67545	1 to 3
	- Macksville	67557	5
	- Saint John	67576	5
	- Stafford	67578	5
Stanton	- Johnson	67855	1 to 3
	- Manter	67862	1 to 3
Stevens	- Hugoton	67951	5
	- Moscow	67952	1 to 3
Sumner	- Argonia	67004	4
	- Belle Plaine	67013	10
	- Caldwell	67022	6
	- Conway Springs	67031	7
	- Geuda Springs	67051	7
	- Mayfield	67103	5
	- Milan	67105	1 to 3
	- Milton	67106	6
	- Oxford	67119	7
	- South Haven	67140	4
	- Wellington	67152	12
Thomas	- Colby	67701	9
	- Brewster	67732	1 to 3
	- Gem	67734	6
	- Levant	67743	4
	- Rexford	67753	6
Trego	- Collyer	67631	1 to 3
	- Ogallah	67656	1 to 3
	- WaKeeney	67672	4
Wabaunsee	- Alma	66401	9
	- Eskridge	66423	9
	- Harveyville	66431	6
	- Maple Hill	66507	6

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<u>County (1)</u>	<u>City (1)</u>	<u>Geographical Zip Codes (1)</u>	<u>Number of Broadband Svc. Providers (2)</u>
	- Paxico	66526	5
	- Alta Vista	66834	6
Wallace	- Sharon Springs	67758	6
	- Wallace	67761	6
	- Weskan	67762	5
Washington	- Barnes	66933	5
	- Clifton	66937	7
	- Greenleaf	66943	4
	- Haddam	66944	5
	- hanover	66945	6
	-Hollenberg	66946	4
	- Linn	66953	4
	- Mahaska	66955	4
	- Morrowville	66958	4
	- Palmer	66962	1 to 3
	- Washington	66968	7
Wichita	- Leoti	67861	5
	- Marienthal	67863	4
Wilson	- Altoona	66710	4
	- Benedict	66714	1 to 3
	- Buffalo	66717	1 to 3
	- Fredonia	66736	7
	- Neodesha	66757	6
	- New Albany	66759	1 to 3
Woodson	- Piqua	66761	1 to 3
	- Toronto	66777	5
	- Yates Center	66783	7
Wyandotte	- Bonner Springs	66012	9
	- Kansas City	66101	11
	- Kansas City	66102	9
	- Kansas City	66103	7
	- Kansas City	66104	8
	- Kansas City	66105	7
	- Kansas City	66106	9
	- Kansas City	66109	9
	- Kansas City	66111	9

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<u>County (1)</u>	<u>City (1)</u>	<u>Geographical Zip Codes (1)</u>	<u>Number of Broadband Svc. Providers (2)</u>
	- Kansas City	66112	9
	- Edwardsville	66113	6
	- Kansas City	66115	7
	- Kansas City	66118	7
	- Kansas City	66160	1 to 3

Sources:

1. Assigned geographical Zip codes by Counties and Cities, http://www.brainyzip.com/state/zip_kansas.htm
Zip codes assigned to P.O Boxes, unique high volume recipients and military units are not included in this data collection and tabulation process.
2. Number of providers, with at least one connection in the zip code,
http://www.fcc.gov/Bureaus/Common_Carrier/Reports/FCC-State_Link/IAD/hzip0607.pdf
The 1 to 3 notation is used by the FCC to further protect the service provider's confidentiality.

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