

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Audit of T-Mobile Central)
LLC by the Kansas Universal Service Fund)
(KUSF) Administrator Pursuant to K.S.A. 2016) Docket No. 18-TMCZ-031-KSF
Supp. 66-2010(b) for KUSF Operating Year 20,)
Fiscal Year March 2016-February 2017.)

MOTION OF T-MOBILE CENTRAL LLC
FOR ADDITIONAL EXTENSION OF TIME

COMES NOW T-Mobile Central LLC ("T-Mobile") and, pursuant to K.A.R. 82-1-217(b), respectfully requests an order of the State Corporation Commission of the State of Kansas ("Commission") granting T-Mobile an additional extension of time to respond to discovery issued by GVNW Consulting, Inc. ("GVNW") in the above-referenced matter. For its Motion, T-Mobile states as follows:

I. Background

1. On August 21, 2017, the Commission issued its Order to KUSF Administrator to Commence Audit of T-Mobile Central LLC and Order Setting Procedural Schedule ("Order"). In its Order, the Commission selected GVNW as its third party administrator of the Kansas Universal Service Fund ("KUSF"). Order at p. 1. One of GVNW's responsibilities as the KUSF administrator is to conduct audits of the relevant revenue information of qualifying telecommunications public utilities, telecommunications carriers or wireless telecommunications service providers ("carrier" or "carriers") in order to verify such carriers are reporting revenue information in a consistent manner. Order at p. 2. All carriers are subject to periodic audit based on the selection criteria developed by the Commission. Order at p. 2. T-Mobile was selected for KUSF Year 20 carrier audits pursuant to the current selection criteria.

2. On August 9, 2017, GVNW issued its first set of data requests ("DR" or "DRs"), the responses to which were due no later than August 18, 2017. T-Mobile informally sought an extension of time to respond to the DRs from GVNW. GVNW extended the due date to September 8, 2017. On September 8, 2017, T-Mobile submitted its initial DR responses to GVNW.

3. On September 11, 2017, GVNW contacted T-Mobile via email and requested follow up information to ensure it received the data necessary to conduct its KUSF Year 20 audit of T-Mobile. T-Mobile requested an additional extension by which to submit the information to GVNW, to which GVNW responded T-Mobile would need to formally seek an extension from the Commission;

4. On October 10, 2017, T-Mobile sought an extension of time by which to submit its DR responses to GVNW, citing an unprecedented number of telecommunications tax audits to which T-Mobile is currently subject; that is, roughly 2-2 ½ times the normal volume of audits experienced by T-Mobile at any given time. In its October 10 request, T-Mobile indicated that while each of these audits (sales, use, 911, gross receipts, among others, at state and local levels) is routine and occurs in the standard, ordinary course of business, the number of audits taking place at this time is truly extraordinary. Motion of T-Mobile Central LLC for Extension of time (Oct. 10, 2017), at ¶ 4. Further, much of the detailed information requested during the course of a KUSF audit is internally generated by departments outside the control of the regulatory and tax departments. Id. at ¶ 5. Therefore, T-Mobile requested an extension to October 31, 2017 by which to submit the remainder of its responses to GVNW, or sooner, to the extent information becomes available. Id. at ¶ 6.

5. On October 19, 2017, the Commission generously granted T-Mobile's request for an extension to submit the remainder of its DR responses to GVNW to October 31, 2017, or sooner, to the extent the information became available. See Order Granting Motion of T-Mobile Central LLC For Extension of Time (Oct. 19, 2017) ("Order Granting Extension").

II. Request for Additional Extension of Time

6. Pursuant to the Commission's Order Granting Extension, T-Mobile submitted a number of outstanding DR responses to GVNW by the extension date of October 31, 2017; however, there are still some outstanding responses due and owing GVNW to which T-Mobile has not completed compiling the respondent information. Specifically, of the DRs sent to T-Mobile from GVNW, consisting of over 50 discrete subparts, T-Mobile seeks an additional extension of time to respond to 2.c, 2.d, 3.c, 3.d, 4.a, 4.b, 6 and 9, for which the Company continues to compile the required data.

7. The information not yet available primarily pertains to the questions seeking detailed and specific customer, billing, and revenue-related data. The data required to respond to these questions is generated by departments outside the control of the regulatory and tax departments. Specifically, multiple databases are queried over very large customer bases, so retrieving the information necessary to respond to the DRs is not a simple function; rather, it is complicated and time-consuming, taking weeks to complete. Then, once the data is received, it needs to be put into a usable format, requiring additional time. At this point, the query has been submitted.

8. Therefore, T-Mobile respectfully requests additional time to submit the outstanding responses, until November 30, 2017, or sooner, to the extent the requested data becomes available prior to that date.

9. Pursuant to K.A.R. 82-1-217(b), the Commission, in its discretion, may extend a deadline for good cause shown. T-Mobile submits that it has responded to the majority of the DRs and only requires additional time to respond to the 8 subparts identified in paragraph 6 above. Additionally, given GVNW's audit report on T-Mobile is not due to be filed until Friday, June 29, 2018, granting T-Mobile's additional request should not burden GVNW's ability to prepare its audit report in a timely manner. Further, because T-Mobile has been involved in multiple KUSF audits, it understands the need for complete and thorough responses to GVNW's DRs. In order for T-Mobile to fully provide the information GVNW needs to perform its audit of T-Mobile, T-Mobile respectfully requests additional time to submit its remaining responses.

WHEREFORE, T-Mobile respectfully requests the Commission exercise its discretion and grant its Motion seeking an extension of time by which to respond to the remainder of GVNW's DRs, until November 30, 2017, or sooner, to the extent the requested data becomes available prior to that date.

Respectfully submitted,

/s/ Susan B. Cunningham

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VERIFICATION
(K.S.A. 53-601)

STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

I, Susan B. Cunningham, verify under penalty of perjury that I have caused the foregoing Motion of T-Mobile Central LLC for Additional Extension of Time to be prepared and that the contents thereof are true and correct to the best of my knowledge, information, and belief.

/s/ Susan B. Cunningham

Susan B. Cunningham

Executed on November 1, 2017

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Motion of T-Mobile Central LLC for Extension of Time was electronically served via U.S. Mail, electronically and/or hand-delivered this 1st day of November, 2017, to the parties appearing on the Commission's service list as last modified on July 27, 2017.

/s/ Susan B. Cunningham

Susan B. Cunningham