

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

Received  
on

**APR 05 2012**

In the Matter of the Audit of Cellular Network )  
Partnership, d/b/a Pioneer Cellular by the )  
Kansas Universal Fund Administrator )  
Pursuant to K.S.A. 2010 Supp. 66-2010(b) to )  
Verify Contributions to the Kansas Universal )  
Service Fund Year 14, March 1, 2010 through )  
February 28, 2011 )

by  
State Corporation Commission  
of Kansas

Docket No. 12-CNPZ-028-KSF

**NOTICE AND REQUEST FOR WAIVER**

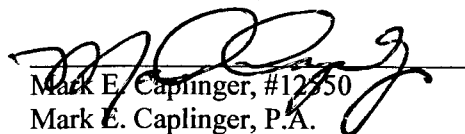
COMES NOW Cellular Network Partnership d/b/a Pioneer Cellular (Pioneer), and files its Notice and Request for Waiver in the above-captioned docket and in support herein states as follows:

1. The Commission issued its Order Adopting Audit Report Recommendations on February 21, 2012. In its Order the Commission directed Pioneer to refund to its customers through a one-time equal bill credits the sum of \$5,787.46. The Order further found that the refund be accomplished within sixty (60) days from the date of the Order.
2. The Commission in its Order Accepting and Adopting GVNW Consulting Inc.'s Audit Report directed GVNW as KUSF Administrator to issue a refund of \$5,787.46 from the KUSF to Pioneer.
3. As of the date of Pioneer's most recent billing cycle, the last week of March, Pioneer had not received the refund from the KUSF Administrator.
4. Pioneer operated under the belief that they would receive the refund from the KUSF Administrator prior to making the required credits on their customers' bills.
5. Pursuant to Pioneer's ordinary billing cycle its customers will receive the appropriate credits on their bills the first week of May, 2012. Therefore Pioneer cannot provide the Commission with an Affidavit attesting to Pioneer's completion of the refund until the first week of May. This is outside of the sixty day requirement contained in the Commission's Order in this Docket.

6. Pioneer by this notice advises the Commission it will timely file the required Affidavit immediately upon the completion of the refund. Pioneer requests the Commission waive the current sixty day requirement contained in its Order.

WHEREFORE, Pioneer respectfully requests the Commission to waive the current sixty day notice requirement and allow Pioneer to file its notice as soon as the refund has been completed.

Respectfully submitted,

  
Mark E. Caplinger, #12750  
Mark E. Caplinger, P.A.  
7936 SW Indian Woods Place  
Topeka, Kansas 66615  
Telephone: (785) 478-9916  
[mark@caplingerlaw.net](mailto:mark@caplingerlaw.net)

Attorney for Cellular Network  
Partnership d/b/a Pioneer Cellular

**VERIFICATION**

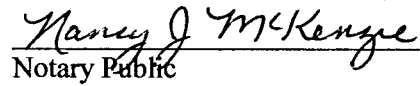
STATE OF KANSAS            )  
  ) ss.  
COUNTY OF SHAWNEE    )

I, Mark E. Caplinger, of lawful age, being first duly sworn upon his oath states:

That he is an attorney for Cellular Network Partnership, d/b/a Pioneer Cellular that he has read the above and foregoing document, and upon information and belief, states that the matters therein appearing are true and correct.

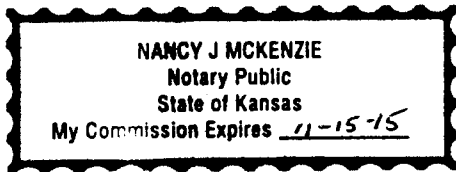
  
Mark E. Caplinger

SUBSCRIBED AND SWORN to before me this 5<sup>th</sup> day of April, 2012.

  
Nancy J. McKenzie  
Notary Public

My Commission Expires:

11-15-15



**CERTIFICATE OF SERVICE**

I, Mark E. Caplinger, hereby certify that a true and correct copy of the above and foregoing document was mailed to the following, by placing the same, postage prepaid, in the United States mail on this 5<sup>th</sup> day of April, 2012.

Kathy Kunc, Attorney at law  
Cellular Network Partnership  
d/b/a Pioneer Cellular  
Ron Comingdeer & Associates  
6011 N. Robinson  
Oklahoma City, OK 73118

David G. Winter, Senior Consultant  
GVNW Consulting, Inc.  
2270 La Montana Way  
Colorado Springs, CO 80936

Otto Newton, Litigation Counsel  
1500 Arrowhead Road  
Topeka, KS 66604

  
Mark E. Caplinger

**Mark E. Caplinger, P.A.**

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Topeka, Kansas 66615  
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April 5, 2012

Ms. Patrice Petersen-Klein  
Executive Director  
Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, KS 66604

Re: Docket No. 12-CNPZ-028-KSF

Dear Ms. Petersen-Klein,

Enclosed please find the original and seven copies of a Notice and Request for Waiver for Cellular Network Partnership, d/b/a Pioneer Cellular in the above-referenced docket.

Please do not hesitate to call with any questions about this matter.

Very truly yours,



Mark E. Caplinger

MEC/njm  
enclosures

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on

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by  
State Corporation Commission  
of Kansas