

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

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

In the Matter of Staff's Motion Requesting                    )  
The Commission Order Zenda Telephone                    )  
Company, Inc. to Submit to an Audit for                    )                    Docket No. 13-ZENT-065-AUD  
Purposes of Determining its Cost-Based                    )  
Kansas Universal Service Fund Support,                    )  
Pursuant to K.S.A. 66-2008.                    )

**ORDER SETTING PROCEDURAL SCHEDULE**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and records and being fully advised in the premises, the Commission finds and concludes as follows:

1. On August 14, 2012, the Commission issued its Order Requiring Zenda Telephone Company, Inc. (Zenda) to Submit to an Audit for Purposes of Determining its Cost-Based KUSF Support Pursuant to K.S.A. 66-2008 (August 2012 Order). In its Order, the Commission ordered Zenda to file the information required by K.A.R. 82-1-231 by December 28, 2012.<sup>1</sup>

2. On December 26, 2012, Zenda submitted its K.A.R. 82-1-231 compliance filing.

3. **Schedule.** The parties have collaborated and jointly submitted a procedural schedule to the Prehearing Officer. After review and consideration of the parties' recommended schedule, the Commission adopts the following procedural schedule:

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<sup>1</sup> August 2012 Order, Ordering Clause B.

Staff & Intervenor Direct Testimony	<b>May 17, 2013</b> <b>3:00 p.m.</b> (electronic service) <b>5:00 p.m.</b> (filing)
Cross Answering Testimony	<b>May 24, 2013</b>
Zenda Rebuttal Testimony	<b>May 31, 2013</b>
Settlement Conference	<b>June 6, 2013</b>
Discovery Cut-Off	<b>June 11, 2013</b>
S & A with Supporting Testimony Due	<b>June 13, 2013</b>
List of Contested Issues	<b>June 13, 2013</b>
Prehearing Conference Third Floor Hearing Room, Commission Offices 1500 SW Arrowhead Road Topeka, KS 66604	<b>June 17, 2013</b> <b>10:30 a.m.</b>
Prehearing Motion Cut-Off	<b>June 17, 2013</b>
Evidentiary Hearing First Floor Hearing Room, Commission Offices 1500 SW Arrowhead Road Topeka, KS 66604	<b>June 24-25, 2013</b> <b>9:00 a.m. to 5:00 p.m.</b>
Zenda Initial Brief	<b>July 9, 2013</b>
Staff/Intervenor Responsive Brief	<b>July 16, 2013</b>
Zenda Reply Brief	<b>July 23, 2013</b>

4. **Settlement.** The Settlement Conference is scheduled for June 6, 2013. If a settlement is reached, the parties shall file testimony in support of the Stipulation and Agreement by June 13, 2013. When filing a motion seeking approval of a unanimous Stipulation and Agreement, the parties shall provide a proposed order approving the Stipulation and Agreement to Advisory Counsel by July 9, 2013. The proposed order should include the relevant procedural history, the terms of the Stipulation and Agreement, and analysis under the five factor test for approval of settlement agreements from Docket No. 08-ATMG-280-RTS.

5. **Official Service List/Electronic Service.** The parties have agreed to use electronic service of all testimony, briefs, other pleadings, and orders without requiring provision of follow-up hard copies as required by K.A.R. 82-1-216(a)(6). Confidential papers will be served either electronically, if confidentiality can be maintained, or by some other secure method, such as providing information on compact disc. Testimony, briefs, and other pleadings must be served electronically by **3:00 p.m.** on the date due, without requiring service among the parties of a follow-up hard copy. However, the original and at least seven paper copies of testimony, briefs, and other pleadings must still be filed in the Commission's docket room by close of business on the date of the deadline. K.A.R. 82-1-215(a). Any electronic service of Commission or Prehearing Officer's orders without follow-up hard copies will specifically state in the electronic message serving the order that the electronic message constitutes service of the attached order and that a hard copy will not follow. Parties are directed to maintain accurate, current lists of electronic service email addresses based on information contained within the Commission's orders. Electronic service of testimony, briefs, and other pleadings shall include service on Prehearing Officer French at [a.french@kcc.ks.gov](mailto:a.french@kcc.ks.gov).

6. Orders issued by the Commission or by the Prehearing Officer will only be served upon parties who have sought through counsel to be added to the official electronic service list, either by means of a formal petition to intervene, a formal entry of appearance, or a formal letter request filed in the docket addressed and directed to the Prehearing Officer. All parties should serve all documents according to the same official electronic service list.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

- A. The Commission adopts the procedural schedule set forth above at paragraph 3.
- B. In the event of unanimous settlement, the parties shall prepare a proposed order approving the agreement, as set forth in paragraph 4.
- C. The Commission approves the use of electronic service as explained above at paragraphs 5 and 6.
- D. Parties have 15 days from the date of electronic service of this Order in which to petition the Commission for reconsideration.<sup>2</sup>
- E. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further order, or orders, as it may deem necessary and proper.

**BY THE COMMISSION IT IS SO ORDERED.**

Sievers, Chairman; Wright, Commissioner; Albrecht, Commissioner

Dated: FEB 08 2013

  
ORDER MAILED FEB 08 2013

Patrice Petersen-Klein  
Executive Director

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<sup>2</sup> K.S.A. 66-118b; K.S.A. 2011 Supp. 77-529(a)(1).

**CERTIFICATE OF SERVICE**

FEB 08 2013

13-ZENT-065-AUD

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Order Setting Procedural Schedule was served by electronic mail this 8 day of February, 2013, to the following parties who have waived receipt of follow-up hard copies:

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Sheryl L. Sparks  
Administrative Specialist

ORDER MAILED FEB 08 2013