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Kansas Corporation Commission  
/S/ Patrice Petersen-Klein

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April 19, 2012

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

Received  
on

APR 20 2012

by  
State Corporation Commission  
of Kansas

RE: FCC-11-161 and §54.313

Dear Ms. Petersen-Klein:

Nex-Tech, Inc. hereby provides the required information and certifications for the above referenced Order. Additional state specific certification requirements will be provided pursuant to Kansas current filing schedules.

Please do not hesitate to contact David Graham, Revenue Supervisor, at (785) 567-4281 if you have any questions regarding this filing.

Sincerely,

Jeff Wick  
Chief Operating Officer

JW/cw

Enclosure

**2012 ETC Recertification Reports**  
**Report to Satisfy Requirements of FCC-11-161**

**Name of ETC Applicant:** Nex-Tech, Inc. \_\_\_\_\_

**Study Area Code:** 419007 \_\_\_\_\_

**Filing Date:** April 1, 2012 \_\_\_\_\_

**State:** Kansas \_\_\_\_\_

**Person to contact for questions:**

**Name:** \_\_\_\_\_ David L. Graham \_\_\_\_\_

**Phone number:** \_\_\_\_\_ 785-567-4281 \_\_\_\_\_

**E-mail address:** \_\_\_\_\_ dgraham@nex-tech.com \_\_\_\_\_

**State Filing Details:**

The data contained in this filing complies with the requirements set forth in FCC 11-161 and §54.313 as amended. To the extent that the State of Kansas requires additional information as part of its normal ETC recertification process; that data will be provided in the scheduled Annual Reporting for previously designated ETCs.

**2012 ETC Recertification Reports**  
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**Attachments**

**Attachment 1** – Certifications

## **Report 1: §54.313 (a) (1) – Five-Year Service Quality Improvement Plan**

1. A progress report on its five-year service quality improvement plan pursuant to §54.202(a), including maps detailing its progress towards meeting its plan targets, an explanation of how much universal service support was received and how it was used to improve service quality, coverage, or capacity, and an explanation regarding any network improvement targets that have not been fulfilled in the prior calendar year. The information shall be submitted at the wire center level or census block as appropriate

1.1 Previously Submitted Plan

1.2 Narrative of Progress

1.3 Supporting Documents and Maps

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### **Response:**

Per the Wireline Competition Bureau's Clarification Order in DA 12-147, issued on February 3<sup>rd</sup>, 2012, paragraph 7, this provision does not apply to Nex-Tech, Inc. for this filing period.

## **Report 2: §54.313 (a) (2) – Outage Report**

2. Detailed information on any outage in the prior calendar year, as that term is defined in 47 C.F.R. 4.5, of at least 30 minutes in duration for each service area in which an eligible telecommunications carrier is designated for any facilities it owns, operates, leases, or otherwise utilizes that potentially affect

(i) At least ten percent of the end users served in a designated service area;

Or

(ii) A 911 special facility, as defined in 47 C.F.R. 4.5(e).

(iii) Specifically, the eligible telecommunications carrier's annual report must include information detailing:

(A) The date and time of onset of the outage;

(B) A brief description of the outage and its resolution;

(C) The particular services affected;

(D) The geographic areas affected by the outage;

(E) Steps taken to prevent a similar situation in the future; and

(F) The number of customers affected.

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### **Response:**

Nex-Tech, Inc. had no outages that meet the reporting criteria for the period January 1, 2011 through December 31, 2011.

### **Report 3: §54.313 (a) (3) – Requests for Service**

#### **3. Report detailing:**

- The number of requests for service from potential customers within the recipient's service areas that were unfulfilled during the prior calendar year; and
- The carrier shall also detail how it attempted to provide service to those potential customers.

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#### **Response:**

Nex-Tech, Inc. had three requests for service in their service areas. These customers had no facilities or prior service to their requested locations and Nex-Tech was unable to economically provide the service. The customers were referred to the Incumbent Local Exchange Carrier.

**Report 4: §54.313 (a) (4) – Complaints per 1,000 Connections**

4. The number of complaints per 1,000 connections (fixed or mobile) in the prior calendar year

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**Response:**

For the period from January 2011 through December 2011, Nex-Tech, Inc. had an average of 0.0007 complaints per 1,000 access lines for supported services as reported to any federal and/or state agencies.

**Report 5: §54.313 (a) (5)-(6) – Certifications**

5. Certification that Carrier is complying with applicable service quality standards and consumer protection rules. Certification that the carrier is able to function in emergency situations as set forth in §54.202 (a) (2).

\*\*\*\*\*

**Response:**

See Attachment 1 – Certifications including Compliance with Applicable Service Quality Standards, Compliance with Consumer Protection Rules, and Ability to Function in Emergency Situations.



**Report 6: §54.313 (a) (7) – Current Price Offerings**

6. The company's price offerings in a format as specified by the Wireline Competition Bureau.

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**Response:**

The Wireline Competition Bureau has not established a format for the requested information, as specified in §54.313(a)(2)(iii)(F)(7), nor has this provision received Office of Management and Budget (OMB) approval as of the date of this filing. Therefore, no response is required at this time.

**Report 7: §54.313 (a) (8) – Company Identification**

7. The recipient's holding company, operating companies, affiliates, and any branding (a "dba" or "doing-business-as company" or brand designation), as well as universal service identifiers for each such entity by Study Area Codes, as that term is used by the Administrator.

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**Response:**

This provision has not received Office of Management and Budget (OMB) approval as of the date of this filing. Therefore, requested information will be subsequently filed as appropriate.

## **Report 8: §54.313 (a) (9) – Tribal Outreach**

8. To the extent the recipient serves Tribal lands, documents or information demonstrating that the ETC had discussions with Tribal governments that, at a minimum included:

- 8.1 A needs assessment and deployment planning with a focus on Tribal community anchor institutions:
- 8.2 Feasibility and sustainability planning;
- 8.3 Marketing services in a culturally sensitive manner;
- 8.4 Rights of way processes, land use permitting, facilities siting, environmental and cultural preservation review processes; and
- 8.5 Compliance with Tribal business and licensing requirements.
  - Tribal business and licensing requirements include business practice licenses that Tribal and non-Tribal business entities, whether located on or off Tribal lands, must obtain upon application to the relevant Tribal government office or division to conduct any business or trade, or deliver any goods or services to the Tribes, Tribal members, or Tribal lands.
  - These include certificates of public convenience and necessity, Tribal business licenses, master licenses, and other related forms of Tribal government licensure.

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### **Response:**

Nex-Tech does not serve Tribal lands. Therefore, this provision does not apply to Nex-Tech, Inc.

**Report 9: §54.313 (f) (2) – Annual Financial Report**  
**Privately held rate-of-return carriers only.**

9. A full and complete annual report of the company's financial condition and operations as of the end of the preceding fiscal year, which is audited and certified by an independent certified public accountant in a form satisfactory to the Commission, and accompanied, by a report of such audit. The annual report shall include;

- balance sheets,
- income statements, and
- cash flow statements along with necessary notes to clarify the financial statements.

The income statements shall itemize revenue, including non-regulated revenue, by its sources.

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**Response:**

Nex-Tech, Inc. is not a privately held rate-of-return carrier. Therefore, this is not applicable to Nex-Tech, Inc.

**Report 10: §54.313 (g) – Areas with No Terrestrial Backhaul**

**10.** Carriers without access to terrestrial backhaul that are compelled to rely exclusively on satellite backhaul in their study area must certify annually that no terrestrial backhaul options exist.

**10.1** Carriers without access to terrestrial backhaul that are compelled to rely exclusively on satellite backhaul in their study area must certify annually that no terrestrial backhaul options exist. Any such funding recipients must certify they offer broadband service at actual speeds of at least 1 Mbps downstream and 256 kbps upstream within the supported area served by satellite middle-mile facilities. To the extent that new terrestrial backhaul facilities are constructed, or existing facilities improve sufficiently to meet the relevant speed, latency and capacity requirements then in effect for broadband service supported by the CAF, within twelve months of the new backhaul facilities becoming commercially available, funding recipients must provide the certifications required in paragraphs (e) or (f) of this section in full. Carriers subject to this paragraph must comply with all other requirements set forth in the remaining paragraphs of this section.

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**Response:**

This item is not applicable to Nex-Tech, Inc.

**Report 11: §54.313 (h) – Additional Voice Rate Data**

11. All incumbent local exchange carrier recipients of high-cost support must report all of their flat rates for residential local service, as well as state fees as defined pursuant to §54.318(e) of this subpart. Carriers must also report all rates that are below the local urban rate floor as defined in §54.318 of this subpart, and the number of lines for each rate specified. Carriers shall report lines and rates in effect as of January 1.

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**Response:**

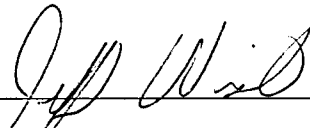
Nex-Tech, Inc. is not an incumbent local exchange carrier. Therefore, this is not applicable to Nex-Tech, Inc.

**AFFIDAVIT CERTIFYING**  
**COMPLIANCE WITH §54.313(a)(5) AND §54.313(a)(6)**

Nex-Tech, Inc. hereby certifies to the Kansas Corporation Commission, pursuant to the requirements under 47 C.F.R. §54.313(a)(5) and §54.313(a)(6) that:

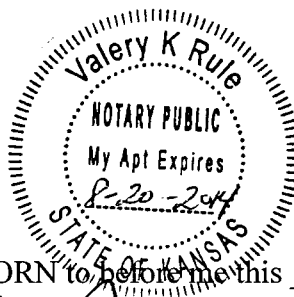
- 1) Nex-Tech, Inc. has established operating procedures designed to facilitate compliance with applicable consumer protection rules.
- 2) Nex-Tech, Inc. has established operating procedures designed to facilitate compliance with service quality standards which may include customer remedies and improvement plans.
- 3) Nex-Tech, Inc. is able to remain functional in emergency situations as set forth in §54.202(a)(2), and
- 4) All federal universal service support provided to Nex-Tech, Inc. was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

I certify under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct.

  
\_\_\_\_\_  
Jeff Wick

Nex-Tech, Inc.  
2418 Vine Street  
Hays, KS 67601

DATED this 19<sup>th</sup> day of April 2012



SUBSCRIBED AND SWORN to before me this 19<sup>th</sup> day of April 2012

  
\_\_\_\_\_  
Notary Public

My Commission Expires: August 20, 2014