

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Mark Sievers, Chairman
Ward Loyd
Thomas E. Wright

In the Matter of Certification of Compliance)	
With Section 254(e) of the Federal)	
Telecommunications Act of 1996 and)	Docket No. 12-GIMT-715-GIT
Certification of Appropriate Use of Kansas)	
Universal Service Fund Support.)	

DISCOVERY ORDER

The above matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration. Being fully advised of all matters of record, the Commission finds:

1. Formalizing discovery procedures and clarifying the obligations of the parties will help ensure a full and efficient investigation of the issues in this docket. This Discovery Order will govern the conduct of discovery until further order of the Commission. Parties may request modified or additional discovery procedures or may request that the Commission schedule a discovery pre-hearing conference.

2. General procedures. Discovery in Commission proceedings is limited to matters that are "clearly relevant." K.A.R. 82-1-234a(a). After a docket is opened, any party may serve upon any other party written discovery or data requests. These data requests shall identify with reasonable particularity the information or documents sought. Data requests must be designed to elicit material facts within the knowledge of the parties. Data requests that require conclusions of law or answers to hypothetical questions are generally not permitted. Cross-examination through the use of data requests is not appropriate. Copies of data requests shall be served upon

all other parties to the proceeding, unless a party requests otherwise. Data requests and responses may be served by facsimile transmittal or electronic mail if agreed to by the parties. Data requests that are sent by a party after 3:00 p.m. shall be deemed to have been received the following business day.

3. Data Request Responses. Responses to Staff data requests are due within 7 days, not counting Saturdays, Sundays, or legal holidays. Responses to all other data requests are due within 10 days, not counting Saturdays, Sundays, or legal holidays. In computing the period of time for responding, the day on which the data request was issued is not counted. Parties may agree to extensions or reductions of time in which to respond or object to a data request. Responses to data requests shall be verified and shall identify the person(s) who actually prepared the response and can answer additional questions relating to the response. Each data request shall be answered separately and preceded by the request to which the answer pertains. Responses shall be clearly identified and, if consisting of several pages, shall be labeled and organized in a manner that makes review of the pages convenient. Parties are under a continuing duty to supplement their discovery responses upon learning that the information disclosed is incomplete or incorrect in any material respect. If a response to a data request requires the duplication of voluminous material or of material that is not easily copied because of its binding or size, a party may require that any party other than Commission Staff review the voluminous material on its own premises. If duplication of voluminous material can be accomplished without undue burden, the voluminous material may be copied at the expense of the requesting party. Voluminous material is defined as documents comprised of five hundred pages or more.

4. Objections to Data Requests. If a party objects to answering a particular data request, the party shall object in writing within 5 days of receipt of the data request, not counting

Saturdays, Sundays or legal holidays. The written objection shall specifically explain all grounds relied upon for objecting to each data request. Any objections not provided at this time will be considered to be waived. If an objection pertains only to part of a question, that part shall be clearly identified and the responding party shall provide any non-objectionable information covered by the remainder of the data request. Parties shall negotiate in good faith to resolve discovery disputes. If resolution is not possible, the party seeking discovery may file a motion to compel with the Commission. Motions to compel must have the data request and response at issue attached. Motions to compel are required to be served by hand delivery, facsimile, or next-day delivery service. Responses to motions to compel are to be filed within 3 days after the motion is received, not counting Saturdays, Sundays, or legal holidays. The Commission may act immediately on motions to compel if necessitated by time constraints or the procedural schedule in the docket.

5. Limitations on Discovery. The Commission may limit discovery to protect a party against unreasonable, cumulative, or duplicative discovery requests; to prevent undue delay in the proceeding; to avoid unnecessary burden, expense, or harassment; or to otherwise maintain the orderly and efficient progress of the proceeding. Upon finding that a party has abused the discovery process, the Commission may deny the right to continue discovery.

6. Protective Order. The Commission has a standard Protective Order that establishes procedures and requirements for the production of information or data designated as confidential. Any party may file a motion for a protective order.

7. Sanctions. A motion for sanctions for discovery violations may be filed at any time during the proceeding or may be initiated by the Commission. A motion is to contain sufficient factual allegations to detail the violation and must specify the relief requested.

Motions for sanctions are required to be served by hand delivery, facsimile, or next-day delivery service. Responses to motions for sanctions are to be filed within 10 days, not counting Saturdays, Sundays, or legal holidays.

a. The Commission will consider any relevant factors when reviewing a motion for sanctions, including whether discovery has been conducted in bad faith or for an improper purpose such as causing unnecessary delay or needless increase in the cost of the proceeding; whether the discovery process has been abused in seeking or resisting discovery; and whether parties have failed to obey Commission Orders.

b. Sanctions imposed by the Commission may include limiting or disallowing further discovery; holding that designated facts be deemed admitted for purposes of the proceeding; refusing to allow a party to support or oppose a claim or defense or prohibiting the party from introducing designated matters in evidence; disallowing in whole or in part requests for relief by the offending party and excluding evidence in support of such requests; striking pleadings or testimony; staying further proceedings until an order is obeyed; disallowing a party's right to participate in the proceeding; dismissing the application or filing with or without prejudice; requiring the offending party to pay the reasonable expenses, including attorney's fees, incurred by other parties because of the sanctionable behavior; and imposing any other sanction or remedy available to the Commission by law.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. This Discovery Order shall govern the handling of discovery matters in this docket.

B. The parties have fifteen days, plus three days if service is by mail, from the date the order was served in which to petition the Commission for reconsideration of any issues decided herein.

K.S.A. 66-118b; K.S.A. 2010 Supp. 77-529.

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chmn.; Loyd, Com.; Wright, Com.

Dated: APR 09 2012



ORDER MAILED APR 09 2012

Patrice Petersen-Klein
Executive Director

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
JAMES T. MEISTER ALLTEL KANSAS LIMITED PARTNERSHIP ONE ALLIED DRIVE MAIL STOP 1269-B5F11-C P O BOX 2177 LITTLE ROCK, AR 72202-2177		
GERARD J. HOWE, CEO BIG RIVER TELEPHONE COMPANY, LLC 24 SOUTH MINNESOTA AVENUE CAPE GIRARDEAU, MO 63703		
DENNIS W DOYLE, GENERAL MANAGER/CEO BLUE VALLEY TELE-COMMUNICATIONS, INC. 1559 PONY EXPRESS HIGHWAY HOME, KS 66438		
JACK KUHLMANN, PRESIDENT & GENERAL MANAGER BLUESTEM TELEPHONE COMPANY, INC. 908 FRONTVIEW P O BOX 199 DODGE CITY, KS 67801-0199		
MICHAEL A. PIERCE, WIRELESS MANAGER CELLULAR NETWORK PARTNERSHIP D/B/A PIONEER CELLULAR RON COMINGDEER & ASSOCIATES 6011 N ROBINSON OKLAHOMA CITY, OK 73118		
PATRICIA CARROLL, GENERAL MANAGER COLUMBUS TELEPHONE CO. INC. 224 SOUTH KANSAS AVENUE COLUMBUS, KS 66725		
JIM DAHMEN, MANAGER COLUMBUS TELEPHONE CO. INC. 224 SOUTH KANSAS AVENUE COLUMBUS, KS 66725		
DALE JONES, GENERAL MANAGER COUNCIL GROVE TELEPHONE COMPANY PO BOX 299 COUNCIL GROVE, KS 66846		

ORDER MAILED APR 09 2012

The Docket Room hereby certified that on this _____ day of _____, 20_____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
CURT STAMP, DIRECTOR REGULATORY AFFAIRS COX KANSAS TELCOM, L.L.C. D/B/A COX COMMUNICATIONS, INC 6301 WATERFORD BLVD STE 200 OKLAHOMA CITY, OK 73118-1161		
CRAIG WILBERT, GENERAL MANAGER CRAW-KAN TELEPHONE COOPERATIVE, INC. 200 N. OZARK P.O. BOX 100 GIRARD, KS 66743		
BRENT CUNNINGHAM, VICE PRESIDENT & GENERAL MANAGER CUNNINGHAM TELEPHONE COMPANY, INC. 220 W MAIN PO BOX 108 GLEN ELDER, KS 67446		
DAVID DORWART, PRESIDENT/CEO DPI-TELECONNECT, L.L.C. 1330 CAPITAL PKWY CARROLLTON, TX 75006-3647		
BOB BOALDIN, PRESIDENT & GENERAL MANAGER ELKHART TELEPHONE COMPANY, INC. 610 SOUTH COSMOS PO BOX 817 ELKHART, KS 67950		
JOHN R. IDOUX, STATE DIRECTOR REGULATORY AFFAIRS EMBARQ COMMUNICATIONS, INC. D/B/A CENTURYLINK COMMUNICATIONS KSOPKJ0401 CENTURYLINK 5454 WEST 110TH STREET OVERLAND PARK, KS 66211		
TRENT BOALDIN, PRESIDENT EPIC TOUCH CO. 610 S. COSMOS P.O. BOX 1260 ELKHART, KS 67950-1260		

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NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
PATRICK L MORSE, SR VP - GOV AFFAIRS FAIRPOINT COMMUNICATIONS MISSOURI, INC. 908 WEST FRONTVIEW PO BOX 199 DODGE CITY, KS 67801		
BEAU REBEL, GENERAL MANAGER GOLDEN BELT TELEPHONE ASSOCIATION. 103 LINCOLN ST PO BOX 229 RUSH CENTER, KS 67575		
MICHAEL J MURPHY, PRESIDENT & MANAGER GORHAM TELEPHONE COMPANY 100 MARKET PO BOX 235 GORHAM, KS 67640		
ROBERT A. KOCH, PRESIDENT/GEN MGR H&B CABLE SERVICE, INC. 108 NORTH MAIN PO BOX 108 HOLYROOD, KS 67450		
ROBERT A KOCH, PRESIDENT/GEN MGR H&B COMMUNICATIONS, INC. 108 NORTH MAIN PO BOX 108 HOLYROOD, KS 67450		
MARK WADE, PRESIDENT/GEN MANAGER HAVILAND TELEPHONE COMPANY, INC. 106 NORTH MAIN PO BOX 308 HAVILAND, KS 67059		
CATHERINE MOYER, CEO HIGH PLAINS/MIDWEST LLC D/B/A WESTLINK COMMUNICATIONS, LLC 120 WEST KANSAS AVE. P.O. BOX 707 ULYSSES, KS 67880		

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NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
CARLA SHEARER, PRESIDENT HOME TELEPHONE COMPANY, INC. BOX 8 211 SOUTH MAIN GALVA, KS 67443		
GENE MORRIS, PRESIDENT/GENERAL MGR. J.B.N. TELEPHONE COMPANY, INC. P.O. BOX 111 HOLTON, KS 66436		
GREG ALDRIDGE, CEO/GENERAL MANAGER KANOKLA TELEPHONE ASSN., INC. 100 KANOKLA AVENUE PO BOX 111 CALDWELL, KS 67022		
ROBERT A. FOX, SENIOR LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 ***Hand Delivered***		
HARRY J LEE JR, PRESIDENT/GENERAL MANAGER LAHARPE TELEPHONE COMPANY, INC. D/B/A LAHARPE LONG DISTANCE 109 W. 6TH STREET PO BOX 100 LA HARPE, KS 66751		
SHERRY L. DEWITT, PRESIDENT MADISON TELEPHONE LLC 117 NORTH THIRD PO BOX 337 MADISON, KS 66860-0337		
MARY MEYER, CEO MADISON TELEPHONE LLC 117 NORTH THIRD PO BOX 337 MADISON, KS 66860-0337		
JANE PRETTYMAN, GENERAL MANAGER MOKAN DIAL, INC. PO BOX 429 LOUISBURG, KS 66053-0429		

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NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
HARRY M WEELBORG, VICE PRESIDENT MOUNDRIDGE TELEPHONE COMPANY 109 NORTH CHRISTIAN AVENUE BOX 960 MOUNDRIDGE, KS 67107		
JIMMY TODD, GENERAL MANAGER MUTUAL TELEPHONE COMPANY 365 MAIN STREET PO BOX 338 LITTLE RIVER, KS 67457		
ANDREW NEWELL, GENERAL MANAGER NE COLORADO CELLULAR, INC. D/B/A VIAERO WIRELESS 1224 W PLATTE AVENUE FORT MORGAN, CO 80701		
JOHNIE JOHNSON, CEO/GEN MGR NEX-TECH WIRELESS, L.L.C 2418 Vine St. HAYS, KS 67601		
LARRY SEVIER, GENERAL MANAGER NEX-TECH, INC. 145 N MAIN PO BOX 158 LENORA, KS 67645		
STEVEN FENKER, VICE PRESIDENT NEXUS COMMUNICATIONS, INC. 3629 CLEVELAND AVENUE, #C PO BOX 247168 COLUMBUS, OH 43224		
KATHY BILLINGER, GENERAL MANAGER PEOPLES TELECOMMUNICATIONS, LLC 208 N BROADWAY P O BOX 450 LA CYGNE, KS 66040		
CATHERINE MOYER, GENERAL MANAGER & CEO PIONEER TELEPHONE ASSN., INC. D/B/A PIONEER COMMUNICATIONS 120 N BAUGHMAN, PO BOX 707 ULYSSES, KS 67880-0707		

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JAMES LEDNICKY, GENERAL MANAGER RAINBOW TELECOMMUNICATIONS ASSOCIATION, INC. PO BOX 147 608 MAIN STREET EVEREST, KS 66424-0147		
LARRY E SEVIER, CEO/GENERAL MGR RURAL TELEPHONE SERVICE COMPANY, INC. 145 N MAIN P O BOX 158 LENORA, KS 67645		
JANET BATHURST, GENERAL MANAGER S&A TELEPHONE COMPANY, INC. 413 MAIN STREET PO BOX 68 ALLEN, KS 66833		
STEVE RICHARDS, GENERAL MANAGER S&T COMMUNICATIONS, INC. 320 KANSAS AVENUE PO BOX 99 BREWSTER, KS 67732		
STEVE RICHARDS, GENERAL MANAGER S&T TELEPHONE COOPERATIVE ASSOCIATION, INC. 320 KANSAS AVENUE PO BOX 99 BREWSTER, KS 67732		
SHERRI FLATT, DIRECTOR OF OPERATIONAL COMPLIANCE SAGE TELECOM, INC. 3300 E RENNER ROAD STE 350 RICHARDSON, TX 75082-2800		
STEPHEN W. DAVIS, GENERAL MANAGER SOUTH CENTRAL TELEPHONE ASSN. INC. 101 S. MAIN PO DRAWER B MEDICINE LODGE, KS 67104		

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KENDALL S. MIKESELL, PRESIDENT SOUTHERN KANSAS TELEPHONE COMPANY, INC. 112 SOUTH LEE STREET PO BOX 800 CLEARWATER, KS 67026-0800		
ANN HUGHES, DIRECTOR REGULATORY SOUTHWESTERN BELL TELEPHONE CO. D/B/A AT&T KANSAS 220 SE 6TH AVE RM 515 TOPEKA, KS 66603-3596		
JACK KUHLMANN, DIRECTOR OF OPERATIONS SUNFLOWER TELEPHONE COMPANY, INC. D/B/A FAIRPOINT COMMUNICATIONS P O BOX 199 DODGE CITY, KS 67801-0199		
MARK M. GAILEY, PRESIDENT & GENERAL MANAGER TOTAH COMMUNICATIONS, INC. 101 MAIN STREET PO BOX 300 OCHELATA, OK 74051-0300		
RICHARD B. SALZMAN, EXECUTIVE VICE PRESIDENT TRACFONE WIRELESS, INC. 9700 N.W. 112TH AVENUE MIAMI, FL 33178		
DALE JONES, GENERAL MANAGER TRI-COUNTY TELEPHONE ASSOCIATION, INC. 1568 S 1000 ROAD PO BOX 299 COUNCIL GROVE, KS 66846		
BEN FOSTER, PRESIDENT/COO TWIN VALLEY TELEPHONE, INC. 22 SPRUCE PO BOX 395 MILTONVALE, KS 67466		
CRAIG MOCK, GENERAL MANAGER UNITED TELEPHONE ASSN., INC. 1107 MCARTOR RD PO BOX 117 DODGE CITY, KS 67801		

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JOHN R IDOUX, STATE DIRECTOR REGULATORY AFFAIRS UNITED TELEPHONE CO. OF KANSAS D/B/A CENTURYLINK 5454 W 110TH STREET OVERLAND PARK, KS 66211-1204		
DON HOWELL, PRESIDENT UNITED WIRELESS COMMUNICATIONS, INC. 1107 MCARTOR ROAD PO BOX 117 DODGE CITY, KS 67801		
GRANT SPELLMEIER, DIRECTOR, EXTERNAL AFFAIRS USCOC OF NEBRASKA/KANSAS LLC 8410 BRYN MAWR CHICAGO, IL 60631		
STEVEN L SACKRIDER, PRESIDENT/GEN MGR WAMEGO TELECOMMUNICATIONS COMPANY, INC. 1009 LINCOLN PO BOX 25 WAMEGO, KS 66547-0025		
ARCHIE MACIAS, GENERAL MANAGER WHEAT STATE TELEPHONE COMPANY, INC. PO BOX 320 UDALL, KS 67146		
DANIEL P. FRIESEN, OWNER WILDFLOWER TELECOMMUNICATIONS, LLC 102 NORTH MAIN PO BOX 258 BUHLER, KS 67522		
BRIAN BOISVERT, GENERAL MANAGER WILSON TELEPHONE COMPANY, INC. 2504 AVENUE D BOX 190 WILSON, KS 67490-0190		
DALE SCHMICK, VICE-PRESIDENT/GEN. MANAGER YOURTEL AMERICA, INC. 2800 E 18th ST KANSAS CITY, MO 64127		

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NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
KATHY PRICE, GENERAL MANAGER ZENDA TELEPHONE COMPANY, INC. 208 NORTH MAIN PO BOX 128 ZENDA, KS 67159		

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