

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Pat Apple

In the Matter of the Audit of Cricket)
Communications, Inc. by the Kansas)
Universal Service Fund (KUSF) Administrator) Docket No. 13-CRCZ-712-KSF
Pursuant To K.S.A. 2012 Supp. 66-2010(b) for)
KUSF Operating Year 16, Fiscal Year March)
2012-February 2013.)

ORDER ON PETITION FOR RECONSIDERATION

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 May 31, 2013, the Commission issued an Order in this matter directing the Kansas Universal Service Fund (KUSF) administrator and auditor, GVNW Consulting, Inc., to perform a KUSF carrier audit of Cricket Communications, Inc. (Cricket) to ensure that the data submitted to the KUSF via the KUSF Carrier Remittance Worksheets (CRWs), the assessments paid, and the calculation and application of the flow-through surcharge billed to and collected from Cricket's customers, if applicable, were appropriate.

2. On April 17, 2014, GVNW submitted its audit report to the Commission, making a single finding, Audit Finding No. 1, regarding Cricket's revenue reporting to the Commission. In addition, GVNW identified one issue related to Cricket's identification of the KUSF and Federal Universal Service Fund (FUSF) on customer bills. Cricket filed a response to the audit report on May 19, 2014, and GVNW filed a reply on May 29, 2014. The Commission issued an order on July 3, 2014, accepting and adopting GVNW's audit report with the exception of the

alleged violation under GVNW's Audit Finding No. 1. The remaining issue is Cricket's alleged noncompliance with the Federal Communications Commission's (FCC) Truth-In-Billing Standards regarding its identification of KUSF and FUSF charges on customer bills.

3. On July 21, 2014, Cricket filed a Petition for Reconsideration (PFR). Cricket requested the Commission reconsider its Order issued July 3, 2014, or in the alternative, allow Cricket to provide affected customers with information described in paragraph 9 of its PFR and make a compliance filing with the Commission to resolve the remaining customer billing issue referenced above.

4. Commission Staff (Staff) filed a Response to Cricket's PFR on July 24, 2014. Staff stated it is receptive to allowing Cricket an opportunity to further develop an alternative solution as proposed in paragraph 9 of its PFR for the purpose of providing greater details on the format, implementation, and administration envisioned for such proposed alternative. Staff suggested Cricket be allowed fifteen (15) days to formulate and present for Staff's review a thoroughly detailed version of the company's proposed alternative solution to the issue of customer billing information. Staff further proposed it would file a Report and Recommendation with the Commission following its review and analysis of Cricket's proposal.

5. The Commission finds and concludes the alternative solution proposed by Cricket in paragraph 9 of its PFR and expanded upon in Staff's reply thereto would constitute a reasonable and fair resolution of the remaining customer billing information issue. The Commission therefore orders Cricket to file a detailed version of the company's proposed alternative solution to the issue of customer billing information within fifteen (15) days of the date of this Order. Staff shall file a Report and Recommendation concerning Cricket's proposal within fifteen (15) days of its filing with the Commission.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Within fifteen (15) days from the date of this Order, Cricket shall file a detailed version of the company's proposed alternative solution to the customer billing information issue. Staff shall file a Report and Recommendation concerning Cricket's alternative solution within fifteen (15) days of its filing with the Commission.

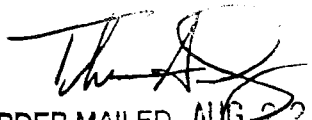
B. To the extent that this Order constitutes final agency action that is subject to judicial review under K.S.A. 77-607(b)(1), the agency officer designated to receive service of any petition for judicial review is Thomas A. Day, Acting Executive Director.

C. 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.

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner.

Dated: AUG 21 2014


ORDER MAILED AUG 22 2014

Thomas A. Day
Acting Executive Director

JV

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

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
PATRICK SHIPLEY, DIR OF GOVERNMENT AFFAIRS / REGULATORY LEGAL CONTACT CRICKET COMMUNICATIONS, INC. 5887 COPLEY DR SAN DIEGO, CA 92111-7906		
DAVID G. WINTER, SENIOR CONSULTANT GVNW CONSULTING, INC. 2270 LA MONTANA WAY PO BOX 25969 COLORADO SPRINGS, CO 80936		
JAY VAN BLARICUM, ASSISTANT GENERAL COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		
OTTO NEWTON, LITIGATION COUNSEL 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 ***Hand Delivered***		
BRUCE A. NEY, GENERAL ATTORNEY SOUTHWESTERN BELL TELEPHONE CO. D/B/A AT&T KANSAS 220 SE 6TH AVE RM 515 TOPEKA, KS 66603-3596		

ORDER MAILED **AUG 22 2014**

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.