## THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Г	andrew J. Fr Dwight D. Ko usan K. Duf	een	Chairperson
In the Matter of the Audit of Sprint Communications Company LP by the		)	
Kansas Universal Service Fund (KUSF	7)	)	Docket No. 21-SCCC-065-KSF
Administrator pursuant to K.S.A. 66-	,	)	
2010(b) for KUSF Operating Year 23,	Fiscal	)	
Year March 2019-February 2020.		)	

# ORDER DESIGNATING PRESIDING OFFICER AND SETTING HEARING ON STAFF'S MOTION TO COMPEL

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

- 1. The Commission may designate a presiding officer to conduct prehearing conferences to address any matters appropriately considered in a prehearing conference, including all items listed in K.S.A. 77-517(b) of the Kansas Administrative Procedure Act (KAPA). Accordingly, the Commission designates Brian G. Fedotin, General Counsel, 1500 SW Arrowhead Road, Topeka, KS 66604-4027, telephone number (785) 271-3105, b.fedotin@kcc.ks.gov to serve as Presiding Officer in this proceeding. The Commission may designate other staff members to serve in this capacity.
- 2. On April 12, 2021, Commission Staff (Staff) filed a Motion to Compel against Sprint Communications Company LP (Sprint) seeking a full response to DR 17, which requests an explanation for the variances in revenues reported from month-to-month during Fiscal Years 22,

<sup>&</sup>lt;sup>1</sup> K.S.A. 77-514; K.S.A. 77-516; K.S.A. 77-551.

23, and 24.<sup>2</sup> Sprint refused to provide any information outside Fiscal Year 23.<sup>3</sup> DR 17 was sent on October 21, 2020, and was due by October 30, 2020.

- 3. Staff also seeks a full response to DR 18, which requests an explanation of discrepancies between Sprint's reported intrastate retail revenue in its 2018 CRW and 2018 Revised CRW and the 2018 Annual Report Sprint filed with the Commission.<sup>4</sup> Sprint refused to respond, contending the DR sought information outside the audit period.<sup>5</sup>
  - 4. Sprint has not filed a response to Staff's Motion to Compel.
- 5. Since an Audit Report must be filed in this Docket by June 30, 2021, time is of the essence.<sup>6</sup> Thus, the Commission finds good cause to set a hearing on Staff's Motion to Compel for May 21, 2021, beginning at 10:00 a.m. Due to the COVID-19 pandemic, the hearing will be conducted via zoom. Mr. Fedotin will preside. Failure to appear may result in a party being held in default pursuant to the Kansas Administrative Procedures Act.<sup>7</sup>

### THEREFORE, THE COMMISSION ORDERS:

- A. Brian G. Fedotin is designated as Presiding Officer in this proceeding.
- B. A hearing on Staff's Motion to Compel is scheduled for May 21, 2021, beginning at 10:00 a.m. with Brian G. Fedotin presiding. Due to the COVID-19 pandemic, the hearing will be conducted via zoom.

<sup>&</sup>lt;sup>2</sup> Staff's Motion to Compel, Apr. 12, 2021, ₱ 5.

 $<sup>^3</sup>$  Id.

<sup>4</sup> Id., ₱ 7.

<sup>5</sup> Id

<sup>6</sup> Id. P 8

<sup>&</sup>lt;sup>7</sup> K.S.A. 77-516(c)(8); K.S.A. 77-520.

## BY THE COMMISSION IT IS SO ORDERED.

French,	n, Chairperson; Keen, Commissioner; D	ouffy, Commissioner	
Dated:	05/11/2021		
-			
	Lyn	n M. Reg	
	Lynn M.	. Retz	
	Executiv	ve Director	

BGF

### **CERTIFICATE OF SERVICE**

#### 21-SCCC-065-KSF

I, the undersigned, ce	rtify that a true copy of the attached Order has been served to the following by means of
	05/11/2021
electronic service on	·

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