

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

APR 18 2012

by
State Corporation Commission
of Kansas

In the Matter of a General Investigation into)
the Kansas Universal Service Fund pursuant) Docket No. 12-GIMT-170-GIT
to K.S.A. 2010 Supp. 66-2008(b))

OBJECTION OF STAFF TO PLEADING AND RESPONSE TO REPLY

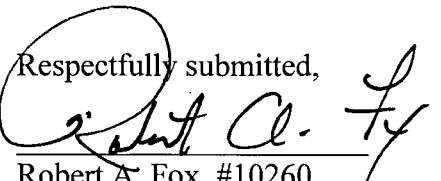
COMES NOW Staff ("Staff") of the State Corporation Commission of the State of Kansas ("Commission") by and through its counsel, and in support of its objection and response to Joint Petition of RLECs filed April 9, 2012, states as follows:

1. RLECs state their pleading is in response to the Commission Order dated April 4, 2012, and Staff's Response to RLECs dated April 3, 2012.
2. Staff objects to the RLECs' pleading in that it requests "review" of the Commission's April 4, 2012 Order, but fails to comply with the requirements relating to pleadings contained in K.A.R. 82-1-21(e) which requires a prayer containing a concise and complete statement of all relief sought. No prayer appears in the RLECs' Joint Petition.
3. Staff objects to the RLECs' pleading in that it appears to be a petition for reconsideration but fails to meet the requirements for such pleading. K.S.A. 66-118b and K.S.A. 77-529 require the pleading to be titled as a petition for reconsideration and to state the specific grounds upon which relief is requested. K.A.R. 82-1-235 requires all petitions for reconsideration to be filed pursuant to appropriate statutory provisions relating to them. There is no mention in RLECs' Joint Petition of any statutory basis for its pleading.
4. Staff objects to the RLECs' "limited objection to information request". The RLECs have made no objection to the DR to the party who posed the DR. No effort to resolve

the objections has been made because of the avenue the RLECs have chosen and Staff has not been afforded the opportunity to file a Motion to Compel given the RLECs' filed objection. Staff does not believe the matter ripe for the RLECs to object.

5. Staff strongly believes the Joint Petition of the RLECs should be denied for the reasons stated above.

Wherefore, Staff respectfully objects to the Joint petition of the RLECs and requests the Commission deny same.

Respectfully submitted,

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CERTIFICATE OF SERVICE

12-GIMT-170-GIT

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Objection of Staff to Pleading and Response to Reply was served by electronic service on this 18th day of April, 2012, to the following parties who have waived receipt of follow-up hard copies:

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