

Mark E. Caplinger, P.A.

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February 6, 2019

Ms. Lynn M. Retz
Secretary to the Commission
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, KS 66604

Re: Dkt. 19-RRLT-277-COM

Dear Ms. Retz,

Enclosed please find Nex-Tech's Motion For Enlargement of Time To File Its Response in the above-referenced docket.

Please do not hesitate to contact my office with any questions you may have.

Very truly yours,



Mark E. Caplinger
Mark E. Caplinger, PA
Attorney for Nex-Tech, LLC

enclosures
MEC/njm

cc: Jimmy Todd
Rhonda Goddard

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

In the Matter of the Complaint of Ideatek)
Telecom, LLC Against Nex-Tech and Rural)
Telephone Service Company Regarding)
Disconnection of Service, Request for Interim)
Ruling and Request for Expedited Review.)

Docket No. 19-RRLT-277-COM

**RURAL TELEPHONE SERVICE COMPANY, INC. DBA NEX-TECH'S
MOTION FOR ENLARGEMENT OF TIME TO FILE ITS RESPONSE**

COMES NOW Rural Telephone Service Company, Inc. d/b/a Nex-Tech ("Nex-Tech"), pursuant to K.A.R. 82-1-217(b), K.A.R. 82-1-218(d), and K.A.R. 82-1-220(c), and submits its motion for enlargement of the time in which Nex-Tech is allowed to file a written response to the formal Complaint filed with the Commission. In support of its motion, Nex-Tech shows the Commission as follows:

1. On January 18, 2019, Complainant Ideatek Telecom, LLC ("Ideatek") commenced the above captioned proceeding by filing a formal Complaint against Nex-Tech requesting expedited treatment with the Commission.

2. On January 18, 2019, Respondent Nex-Tech was served with a copy of the Complaint via electronic mail.

3. On January 22, 2019, Respondent Nex-Tech filed its Initial Response to the Complaint.

4. On January 29, 2019, the Commission issued an Order Assessing Costs to both parties.

5. On January 30, 2019, Ideatek filed a Correction to Complaint and *Amended* Complaint and Request for Expedited Review and Request for Interim Ruling.

6. On January 31, 2019, The Commission issued an Order Appointing Examiner Pursuant to K.A.R. 82-1-220a(f) designating Walker Hendrix as the examiner in this Docket.

7. On February 1, 2019, the Examiner Order on Request for Expedited Review and Other Procedural Rulings was issued denying expedited review and setting a scheduling conference for February 13, 2019.

8. On February 4, 2019, Verification on Complaint and Amended Complaint was filed on behalf of Ideatek.

9. Nex-Tech is uncertain of the required due date for filing its response. The uncertainty is due to the fact that the original Complaint sought expedited treatment, Ideatek filed an Amended Complaint which still sought expedited treatment, and two days later, the examiner issued an Order denying expedited treatment and setting a scheduling conference to be held on February 13, 2019. In using best efforts to calculate the due date, Nex-Tech believes its response would be due on February 11, 2019.

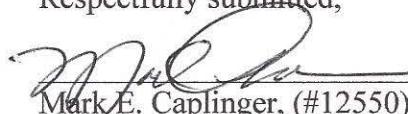
10. Due to scheduling conflicts and unavailability of key Nex-Tech personnel and counsel involved and to clear up the confusion regarding calculating the required due date for response, Nex-Tech respectfully requests an enlargement of time in which Nex-Tech is to file its written response to Complainant's Amended Complaint up to and including Friday, February 15, 2019.

11. Nex-Tech's request for an enlargement of time is timely made; it is made in good faith and Nex-Tech believes it has demonstrated good cause in support of its request. Complainant will not be prejudiced by the granting of Nex-Tech's request.

12. The undersigned counsel for Nex-Tech has discussed this request for extension with both counsel for the Complainant and Commission Staff. Counsel expressed that neither Complainant nor Staff have objection to the instant Motion.

WHEREFORE, Nex-Tech respectfully requests an Order of the Commission granting Nex-Tech's Motion for an Enlargement of Time in which to file a written response to the Amended Complaint of Ideatek up to and including Friday, February 15, 2019.

Respectfully submitted,



Mark E. Caplinger, (#12550)

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Service Company, Inc.

d/b/a Nex-Tech

VERIFICATION

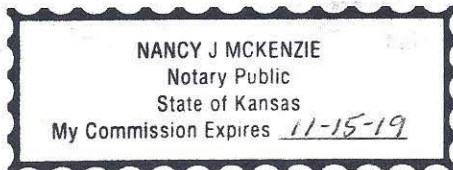
STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

I, Mark E. Caplinger, of lawful age, being first duly sworn upon his oath states:

That he is an attorney for Rural Telephone Service Company, Inc. d/b/a Nex-Tech, that he has read the above and foregoing document, and upon information and belief, states that the matters therein appearing are true and correct.


Mark E. Caplinger

SUBSCRIBED AND SWORN to before me this 6th day of February, 2019.




Notary Public

My Commission Expires:

11-15-19

CERTIFICATE OF SERVICE

I, Mark E. Caplinger, hereby certify that a true and correct copy of the above and foregoing document was electronically served to the following on this 2 day of February, 2019.

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