

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

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

In the Matter of the Petition of CenturyLink)
and Dex Media, Inc. for Waiver of or) Docket No. 16-UTDT-568-MIS
Exemption from the Commission's Directive)
Regarding Distribution of Telephone)
Directories)

ORDER GRANTING JOINT MOTION

NOW, the above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed its files and records and being duly advised in the premises, the Commission makes the following findings:

1. On June 10, 2016, Dex Media, Inc. (Dex Media) and the United Telephone Company of Kansas d/b/a CenturyLink, United Telephone Company of Eastern Kansas d/b/a CenturyLink, United Telephone Company of Southcentral Kansas d/b/a CenturyLink, and Embarq Missouri, Inc. d/b/a CenturyLink (collectively "CenturyLink") filed a joint petition requesting a permanent waiver of, or exemption from, the requirements of the Commission's May 1, 1967 Directive concerning the Issuance of Telephone Directories ("the Directive").

2. On August 22, 2016, Staff filed a *Motion to Dismiss Dex Media, Inc. from Proceeding* (Motion to Dismiss) moving the Commission to dismiss Dex Media from the proceeding on the grounds that the Commission lacks both personal and subject matter jurisdiction over Dex Media because it is not a public utility, and because Dex Media did not have standing to request relief from the Directive. Pursuant to K.A.R. 82-1-218(d), a response was due September 1, 2016.

3. On September 1, 2016, Dex Media and CenturyLink filed a *Joint Motion of CenturyLink and Dex Media, Inc. for an Extension of Time to Respond to Staff's August 22, 2016 Motion to Dismiss Dex Media* (Joint Motion).

4. Dex Media and CenturyLink's Joint Motion indicated that on August 24, 2016, prior to Staff filing its Motion to Dismiss, Staff and CenturyLink met to discuss Staff's preliminary recommendations in this proceeding. Dex Media and CenturyLink anticipate a series of additional meetings with Staff where it is reasonably likely that Staff and CenturyLink could reach a substantive agreement regarding the terms of any waiver of the requirements of the Directive, which would moot the pending Motion to Dismiss.

5. The Joint Motion requests a thirty-day extension of time to October 1, 2016, to respond to the Motion to Dismiss, so that the parties may continue discussions regarding a potential resolution of this docket.

6. The Joint Motion indicates that Dex Media and CenturyLink have discussed their request for an extension of time with Staff in order to continue to engage in productive negotiations to resolve this matter, and that neither Staff nor Staff counsel has an objection to the extension of time. Therefore, no parties to the proceeding will be prejudiced by the granting of the Joint Motion.

7. Pursuant to K.A.R. 82-1-218(b), the Commission may grant an enlargement of time for good cause shown.

8. Due to the ongoing attempts to resolve this matter by the parties and the lack of objection by any party to the Joint Motion, the Commission finds that the Joint Motion should be granted.

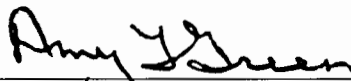
IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

- A. The Joint Motion filed by Dex Media and CenturyLink on September 1, 2016, is granted.
- B. Dex Media and CenturyLink shall have until October 1, 2016, to respond to Staff's Motion to Dismiss.
- C. The parties have fifteen (15) days, plus three (3) days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. § 66-118b; K.S.A. § 77-529(a)(1).
- D. The Commission retains jurisdiction over the subject matter and parties for the purpose of issuing such further order, or orders, as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: SEP 13 2016



Amy L. Green
Secretary to the Commission

MRN

EMAILED

SEP 13 2016

CERTIFICATE OF SERVICE

16-UTDT-568-MIS

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of

Electronic Service on SEP 13 2016.

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