

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Application of Cox Kansas Telcom, LLC for)
Waiver of Requirement to Offer Equal Access) Docket No. 18-COXT-057-MIS
to Interexchange Carriers.)

MOTION OF COX KANSAS TELCOM, LLC,
FOR EXTENSION OF BRIEFING SCHEDULE

COMES NOW, Cox Kansas Telcom, LLC ("Cox"), by and through its undersigned counsel and, pursuant to K.A.R. 82-1-217(b), respectfully requests an order of the State Corporation Commission of the State of Kansas ("Commission") extending the current briefing schedule by one week. For its Motion, Cox states as follows:

I. Background

1. On August 1, 2017, Cox filed an Application requesting a waiver of the requirement to provide access to interexchange carriers within the local calling area when offering Lifeline service. Cox stated it will continue to provide long distance service to its customers, only seeking permission to cease offering its customers the option to presubscribe to long distance service offered by a different provider. Application of Cox Kansas Telcom, LLC (Aug. 1, 2017), at 1 ("Application").

2. On November 6, 2017, Staff submitted its Report and Recommendation recommending that the Commission deny Cox's Application. Significantly, Staff did not recommend denial of Cox's waiver request on substantive grounds, but rather on the procedural argument that the Commission is unable to waive a statutory requirement.

3. On November 16, 2017, Cox filed its Response to Staff's Report and Recommendation arguing that the existing statutory framework allows for consideration of Cox's request.

4. In order to fully consider the legal and policy implications of Cox's request, the Commission issued its Order Establishing Briefing Schedule on December 7, 2017 ("Order"). In its Order, the Commission requested simultaneous initial and reply briefs to be filed on January 5, 2018 and January 19, 2018, respectively.

5. With Staff's consent, Cox respectfully requests a modest one-week extension for the filing of both the initial and reply briefs; that is, an extension until January 12, 2018 for the filing of initial briefs and an extension until January 26, 2018 for the filing of reply briefs. For its request, Cox states as follows.

II. Request for Extension of Time

6. Cox requests a one-week extension primarily in order to accommodate its counsel. In addition to the Christmas and New Year holidays occurring during the period between the issuance of the Commission's Order and the due date of the initial brief, Cox's counsel has been ill over this same time period.

7. Pursuant to K.A.R. 82-1-217(b), the Commission, in its discretion, may extend a deadline for good cause shown. Cox submits that both the holiday period and counsel's unavailability due to illness represents good cause for additional time to submit briefs. Additionally, Cox is only seeking a one-week extension. Given there are no other procedures which are affected by the request, and the only participants to the proceeding are Cox and Staff, it appears little or no harm would result from granting Cox's request for additional time.

8. As referenced above, Cox counsel contacted Staff prior to filing the instant Motion. Staff stated it does not oppose Cox's request so long as the filing extension applies to both Cox and Staff

WHEREFORE, Cox respectfully requests the Commission exercise its discretion and grant its Motion seeking a one-week extension of time by which to file the initial and reply briefs in this case; that is, until January 12, 2018 for the filing of initial briefs and until January 26, 2018 for the filing of reply briefs. Cox further requests that the filing extension apply to both Cox and Staff.

Respectfully submitted,

/s/ Susan B. Cunningham

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VERIFICATION
K.S.A. 53-601

STATE OF KANSAS)
)
COUNTY OF SHAWNEE) ss:

I, Susan B. Cunningham, verify under penalty of perjury that I have caused the foregoing Motion of Cox Kansas Telcom, LLC, for Extension of Briefing Schedule to be prepared on behalf of Cox, and that the contents thereof are true and correct to the best of my knowledge, information, and belief.

/s/ Susan B. Cunningham

Susan B. Cunningham

January 4, 2018

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Motion of Cox Kansas Telcom, LLC, for Extension of Briefing Schedule was electronically served this 4th day of January, 2018, to the parties appearing on the Commission's service list as last modified on December 1, 2017.

/s/ Susan B. Cunningham

Susan B. Cunningham