

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

Before Commissioners:                    Brian J. Moline, Chair  
   Robert E. Krehbiel  
   Michael C. Moffet

In the Matter of the Joint Application of United            )  
Telephone Company of Kansas, Inc., United            )            Docket No. 06-RRLT-963-COC  
Telephone Company of Eastern Kansas, Inc.            )  
(United) and Rural Telephone Service Company,            )  
Inc. (RuralTel) for Permission of United to Cease            )  
Operating as a Telephone Public Utility in            )  
Twelve of its Kansas Exchanges, to Grant            )  
RuralTel a Certificate of Public Convenience for            )  
the Same Twelve Exchanges, and for Authority to            )  
Transfer Property, Plant and Equipment of United            )  
Located in the Twelve Exchanges to RuralTel and            )  
Complete all Matters Incident to the Transfer.            )

**ORDER**

NOW, the above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Commission finds and concludes as follows:

1.        On March 3, 2006, United Telephone Company of Kansas, Inc., United Telephone Company of Eastern Kansas, Inc. (collectively United) and Rural Telephone Service Company, Inc. (RuralTel) jointly filed an application for permission of United to cease operating as a telephone public utility in twelve of its Kansas exchanges, to grant RuralTel a Certificate of Public Convenience and Authority for the same twelve exchanges, and for authority to transfer property, plant, and equipment of United located in the twelve exchanges to RuralTel and complete all matters incidental to the transfer.

2. On April 12, 2006, RuralTel and Nex-Tech, Inc. (Nex-Tech) filed a Joint Application requesting Commission approval of an Asset Purchase Agreement (Agreement). The Joint Application and the confidential Agreement are included with this Order as Attachment A. Nex-Tech is an affiliate of RuralTel. The Agreement provides for the purchase by RuralTel of Nex-Tech's assets in the Osborne exchange, including Nex-Tech's customer base. The Osborne exchange is one of the twelve United exchanges being purchased by RuralTel

3. The application included with the Agreement states that the Agreement is conditioned on the Commission's approval of RuralTel's purchase of the Osborne and other exchanges being considered in the current docket and Docket 06-UTDT-962-CCS. The Commission finds that consideration of this Agreement should take place in this existing docket rather than in a separate docket.

4. Nex-Tech, Inc. is made a party to this docket for the purposes of considering the Asset Purchase Agreement.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Joint Application and confidential Asset Purchase Agreement, included as Attachment A to this Order, are made a part of this existing docket and will be considered along with the other issues in this docket.

B. Nex-Tech, Inc. is made a party to this docket for the purposes of considering the Asset Purchase Agreement.

C. A party may file a petition for reconsideration of this order within fifteen days of the service of this order. If this order is mailed, service is complete upon mailing, and three days may be added to the above time frame. K.S.A. 66-118b; K.S.A. 2005 Supp. 77-529(a)(1).

D. The Commission retains jurisdiction of the subject matter and the parties for the purpose of entering such further order, or orders, as it may deem necessary and proper..

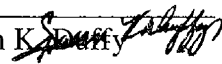
BY THE COMMISSION IT IS SO ORDERED.

Moline, Chr.; Krehbiel, Com.; Moffet, Com.

**ORDER MAILED**

**MAY 05 2006**

**MAY 04 2006**

  
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Susan K. Duffy Executive Director

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# **CONFIDENTIAL INFORMATION**

(Located in Docket Room)

In the Matter of the Joint Application of United Telephone Company of Kansas, Inc., United Telephone Company of Eastern Kansas, Inc. (United) and Rural Telephone Service Company, Inc. (RuralTel) for Permission of United to Cease Operating as a Telephone Public Utility in Twelve of its Kansas Exchanges, to Grant RuralTel a Certificate of Public Convenience for the Same Twelve Exchanges, and for Authority to Transfer Property, Plant and Equipment of United Located in the Twelve Exchanges to RuralTel and Complete all Matters Incident to the Transfer.

## **06-RRLT-963-COC**

Confidential Exhibit A, to KCC Order  
Dated May 4, 2006

FILE DATE:  
May 4, 2006