

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

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

In the Matter of the Audit of T-Mobile Central                      )  
LLC by the Kansas Universal Service Fund                      )  
(KUSF) Administrator Pursuant to K.S.A. 2016                      )                      Docket No. 18-TMCZ-031-KSF  
Supp. 66-2010(b) for KUSF Operating Year 20,                      )  
Fiscal Year March 2016-February 2017.                      )

**ORDER GRANTING MOTION OF T-MOBILE CENTRAL LLC  
FOR EXTENSION OF TIME**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and record, and being duly advised in the premises, the Commission finds and concludes as follows:

1.        On August 1, 2017, the Commission directed the Kansas Universal Service Fund (KUSF) Administrator, GVNW Consulting, Inc. (GVNW), to perform an audit of T-Mobile Central LLC (T-Mobile) for KUSF purposes. Among its duties and responsibilities prescribed in K.S.A. 2016 Supp. 66-2010(b) GVNW, as the KUSF Administrator, is responsible for collecting and auditing all relevant information from all qualifying telecommunications public utilities, telecommunications carriers or wireless telecommunications service providers receiving funds from or providing funds to the KUSF. In order to fulfill its K.S.A. 66-2010(b) obligations GVNW as the KUSF Administrator conducts audits of selected carriers' relevant revenue information to verify such carriers are reporting revenue information in a consistent manner. All carriers are subject to periodic audit based on the selection criteria developed by the Commission and T-Mobile is one of sixteen carriers selected by GVNW for KUSF Year 20 carrier audit.

2. On October 10, 2017, T-Mobile filed a Motion requesting additional time within which to respond to discovery issued by GVNW in this matter. T-Mobile's Motion seeks an extension of time to October 31, 2017 within which to respond to GVNW's Data Requests ("DR" or "DRs"). However, T-Mobile commits to submitting its responses to GVNW's DRs sooner than October 31, 2017 to the extent the requested data and necessary resources become available.<sup>1</sup> By way of background, T-Mobile states that on August 9, 2017, the company received GVNW's first set of DRs, the responses to which were due no later than August 18, 2017. Following receipt of the DRs, T-Mobile informally sought an extension of time within which to respond to GVNW's DRs. Thereupon, GVNW extended the due date to September 8, 2017 and on that date T-Mobile submitted its initial DR responses to GVNW. On September 11, 2017, GVNW contacted T-Mobile requesting follow-up information to ensure it received the data necessary to conduct its KUSF Year 20 audit of T-Mobile. T-Mobile requested an additional extension by which to submit the additional information to GVNW. However, GVNW responded that the company would need to formally seek an extension from the Commission, hence T-Mobile's filing of the instant Motion.<sup>2</sup>

3. In support of its request for extension of time, T-Mobile states that it is currently engaged in hundreds of telecommunications tax audits (sales, use, 911, gross receipts, and others) at state and local levels. T-Mobile admits that while each of these audits is routine and occurs in the standard, ordinary course of business, the volume of these audits represents 2-2½ times the normal audits experienced by the company at any given time. This development, uncommon and unforeseen by T-Mobile, finds the company lacking in resources to process the increased workload. Given the unusual and unexpected number of audits in which T-Mobile is

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<sup>1</sup> Motion, page 4.

<sup>2</sup> Id., page 2.

currently engaged, including the attendant resource issues, T-Mobile requests until October 31, 2017 by which to respond to the DRs issued by GVNW. By that date, T-Mobile states that both the data requested by GVNW and T-Mobile's internal resources *should* or *will* be available. To be clear, T-Mobile states that it will provide any outstanding responses to GVNW sooner than October 31, 2017, as resources and data become available.<sup>3</sup>

4. K.A.R. 82-1-217(b) provides: "... that when by these rules or by a notice given under them an act is required or allowed to be done at or within a specified time, the time for doing such an act may be extended by the Commission for good cause shown". The Commission has reviewed T-Mobile's Motion and finds the reasons prompting T-Mobile's request for an extension of time within which to respond to GVNW's Data Requests persuasive and that T-Mobile's Motion should be granted. However, the granting of T-Mobile's request for extension of time in no way minimizes the importance of GVNW's timely completion of its KUSF audit of T-Mobile and the importance of the company's commitment to provide any outstanding responses to GVNW on or before October 31, 2017.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. T-Mobile Central LLC's Motion for Extension of Time filed October 10, 2017 is hereby granted. The new deadline for the filing of T-Mobile's responses to GVNW Consulting, Inc.'s Data Requests is extended to October 31, 2017, or sooner than October 31, 2017, to the extent the requested data and necessary resources become available.

B. 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. 2016 Supp. 77-529(a)(1).

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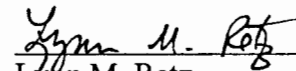
<sup>3</sup> Id., page 3.

C. The Commission retains jurisdiction over AT&T Mobility and the subject matter of this Docket for the purpose of issuing such additional orders as it may deem necessary.

**BY THE COMMISSION IT IS SO ORDERED.**

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: OCT 19 2017

  
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Lynn M. Retz  
Secretary to the Commission

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Order Mailed Date

OCT 20 2017

## CERTIFICATE OF SERVICE

18-TMCZ-031-KSF

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

first class mail/hand delivered on OCT 19 2017.

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/S/ DeeAnn Shupe  
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Order Mailed Date

OCT 20 2017