

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

Before Commissioners: Mark Sievers, Chairman
Ward Loyd
Thomas E. Wright

In the Matter of the Audit of Cellular Network)
Partnership, d/b/a Pioneer Cellular by the)
Kansas Universal Service Fund Administrator)
Pursuant to K.S.A. 2010 Supp. 66-2010(b) to) Docket No. 12-CNPZ-028-KSF
Verify Contributions to the Kansas Universal)
Service Fund Year 14, March 1, 2010 through)
February 28, 2011.)

ORDER GRANTING REQUEST FOR WAIVER

The above captioned matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being duly advised in the premises, the Commission makes the following findings:

I. BACKGROUND

1. On February 21, 2012, the Commission issued an Order in this matter accepting and adopting GVNW Consulting, Inc.'s (GVNW) Audit Report filed January 26, 2012, and directing GVNW, as Kansas Universal Service Fund (KUSF) Administrator, to issue Cellular Network Partnership, d/b/a Pioneer Cellular (Pioneer), a refund of \$5,787.46. The Commission further directed Pioneer to refund to its customers through one-time equal bill credits the sum of \$5,787.46 and, in turn, to file in this docket an Affidavit by an officer of the company attesting to Pioneer's completion of the \$5,787.46 refund. Both the refund to customers and Pioneer's filing of the required Affidavit were to be completed within sixty (60) days from the date of the Commission's February 21, 2012 Order. The sixty-day time frame for Pioneer accomplishing the refund to customers and filing the required Affidavit expires April 21, 2012.

2. On April 5, 2011, Pioneer filed a Notice and Request for Waiver (Request) requesting that the Commission waive the sixty-day requirement for filing of the company's Affidavit notifying the Commission of Pioneer's completion of the required customer refund. Pioneer indicates that due to a delay in receipt from GVNW of a refund of \$5,787.46 from the KUSF, Pioneer will be unable to make the required refund to its customers and file the required Affidavit affirming completion of the customer refund within the sixty-day period established in the Commission's February 21, 2012 Order. Pioneer further states that pursuant to the company's ordinary billing cycle, its customers will receive the appropriate credits to their bills the first week of May 2012. Consequently, both the customer refund and the filing of an Affidavit confirming completion of the customer refund will fall beyond the April 21, 2012 due date established by the Commission's February 21, 2012 Order.

3. The Commission is receptive to Pioneer's request and finds that the company has presented sufficient facts warranting the granting of relief in this instance. Consequently, the Commission finds that the sixty-day requirement of ordering paragraph B. of the February 21, 2012 Order issued in this matter should be waived and, instead, a due date of May 21, 2012 established for Pioneer's completion of both the required customer refund and the filing of an Affidavit attesting that the \$5,787.46 refund has been completed.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

(A) Pioneer's Request is hereby granted and the sixty-day requirement of Ordering paragraph B. of the February 21, 2012 Order issued in this matter is hereby waived and instead, Pioneer is hereby directed to refund to its customers through one-time equal bill credits the sum of \$5,787.46 and file an Affidavit by an officer of the company attesting to Pioneer's completion of the \$5,787.46 refund, both requirements to be completed by May 21, 2012.

(B) Upon Pioneer's completion of the requirements of ordering paragraph B. above, GVNW is directed to provide its update of this matter to the Commission.

(C) The Commission retains jurisdiction over Cellular Network Partnership, d/b/a Pioneer Cellular, 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.

Sievers, Chmn.; Loyd, Comm.; Wright, Comm.

Dated: APR 16 2012


ORDER MAILED APR 16 2012
Patrice Petersen-Klein
Executive Director

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PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
KATHY KUNC, ATTORNEY AT LAW CELLULAR NETWORK PARTNERSHIP D/B/A PIONEER CELLULAR RON COMINGDEER & ASSOCIATES 6011 N ROBINSON OKLAHOMA CITY, OK 73118		
DAVID G. WINTER, SENIOR CONSULTANT GVNW CONSULTING, INC. 2270 LA MONTANA WAY PO BOX 25969 COLORADO SPRINGS, CO 80936		
OTTO NEWTON, LITIGATION COUNSEL 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 ***Hand Delivered***		

ORDER MAILED APR 16 2012

The Docket Room hereby certified that on this ___ day of _____, 20____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.