

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

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

In the Matter of the Application of DIECA)
Communications, Inc. d/b/a Covad)
Communications Company for an Amended and) Docket No. 12-DCIT-707-CCN
Reissued Certificate of Public Convenience and)
Necessity to Reflect Its New Name "MegaPath)
Corporation" (Clec))

ORDER ASSESSING COSTS

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 records and being fully advised in the premises, the Commission finds and concludes as follows:

1. K.S.A. 66-1502 authorizes the Commission to assess the expenses of an investigation, opened on its own motion, against public utilities if the expenses reasonably attributable to such investigation exceed the sum of \$100. The Commission will utilize members of its Staff in this investigation, and as deemed appropriate by the Commission, employ special assistants and consultants to investigate all matters connected with this proceeding. The Commission finds that the expenses reasonably attributable to this investigation will exceed \$100. The Commission concludes that the costs of this proceeding should be assessed to DIECA Communications, Inc. d/b/a Covad Communications Company. This order constitutes notice of the assessment of costs and the assessment will begin three days after the date this order is mailed. DIECA Communications, Inc. d/b/a Covad Communications Company is given notice

that it may request a hearing as to the necessity of the investigation or the assessment of costs, in accordance with the provisions of the Kansas Administrative Procedure Act.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. DIECA Communications, Inc. d/b/a Covad Communications Company is assessed the costs of this investigation.

B. The parties have fifteen days, plus three 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. 2010 Supp. 77-529(a)(1).

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chmn; Loyd, Com.; Wright, Com.

Dated: MAR 28 2012



ORDER MAILED MAR 28 2012

Patrice Petersen-Klein
Executive Director

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

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
ROSE MULVANY HENRY, ATTORNEY BRADLEY ARANT BOULT CUMMINGS LLP 1600 DIVISION ST STE 700 PO BOX 340025 NASHVILLE, TN 37203-0025		
KATHERINE K. MUDGE, DIRECTOR, STATE AFFAIRS & ILEC REGULATIONS DIECA COMMUNICATIONS, INC. D/B/A COVAD COMMUNICATIONS 2111 W BRAKER LN STE 100 AUSTIN, TX 78758-4084		
MICHAEL NEELEY, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 ***Hand Delivered***		

ORDER MAILED **MAR 28 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.