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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH	
Investigation into Potential Statutory Change to Utah Code Ann. § 54-7-15	UTAH RURAL TELECOM ASSOCIATION'S COMMENTS DOCKET NO. 19-999-11

The Utah Rural Telecom Association (“URTA”), on behalf of itself and URTA members, All West Communications, Inc., Bear Lake Communications, Inc., Beehive Telephone Company, Carbon/Emery Telcom, Inc., Central Utah Telephone, Inc., Direct Communications Cedar Valley, LLC, Emery Telephone, Gunnison Telephone Company, Hanksville Telcom, Inc., Manti Telephone Company, Skyline Telecom, South Central Utah Telephone Association, Inc. UBTA-UBET Communications, Inc. dba Strata Networks, and Union Telephone Company (“Members” or “URTA Members”) hereby files these Comments to address the Utah Public Service Commission’s (“Commission”) Request for Comments issued May 6, 2019. The Commission is seeking comment from interested stakeholders on whether it should request and pursue a statutory change to Utah Code Section 54-7-15 to give the Commission 30 days (rather than the current 20 days) from the date a request for rehearing and/or review is filed to grant or deny the request.

URTA COMMENTS

URTA supports the statutory change proposed by the Commission. Modifying Utah Code §54-7-15 to increase the “20 days” references to “30 days” will offer the Commission a more reasonable amount of time to consider both the request for rehearing and any opposition or response filed thereto. As the Commission points out, under the current statute Utah Code §63G-4-301(2), a party filing a response to a request for review/rehearing has 15 days to file the response. Specifically, §63G-4-301(2) provides:

- (a) Within 15 days of the mailing date of the request for review, or within the time period provided by agency rule, whichever is longer, any party may file a response with the person designated by statute or rule to receive the response.

Under the best of timing circumstances, §54-7-15 and §63G-4-301, when read together, only give the Commission five days (and not necessarily business days) to review the responses and issue a decision. URTA believes this is not enough time for the Commission to adequately consider the arguments and positions of the various parties and to issue a well-reasoned decision based on the issues raised in the filed documents. URTA believes that the parties and the Commission would benefit from the Commission having more time to review the pleadings, deliberate, and draft a decision. Additionally, URTA does not believe that any party will be aggrieved or disadvantaged by the additional time. An additional ten days does not present an undue burden to the parties.

URTA supports a statutory change that would lengthen the time frames identified in Utah Code Section 54-7-15(2) as follows:

- (a) After any order or decision has been made by the commission, any party to the action or proceeding, any stockholder, bondholder, or other party pecuniarily interested in the public utility affected may apply for rehearing of any matters determined in the action or proceeding.

- (b) An applicant may not urge or rely on any ground not set forth in the application in an appeal to any court.
- (c) Any application for rehearing not granted by the commission within ~~3020~~ days is denied.
- (d)
 - (i) If the commission grants any application for rehearing without suspending the order involved, the commission shall issue its decision on rehearing within ~~3020~~ days after final submission.
 - (ii) If the commission fails to render its decision on rehearing within ~~3020~~ days, the order involved is affirmed.

CONCLUSION

URTA supports the Commission in seeking a statutory change to Utah Code Section 54-7-15 as indicated above. Such a change will benefit the process and the parties and will not create any undue burden.

DATED this 19th day of June, 2019.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of URTA's Comments, Docket 19-999-11 was served the 19th day of June, 2019 as follows:

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