

-BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH-

In the Matter of the Application for)
Increase in the USF Eligibility for)
Uintah Basin Telecommunications)
Association, Inc., and UBET Telecom,)
Inc.

DOCKET NO. 05-053-01
PROCEDURAL AND SCHEDULING
ORDER

ISSUED: July 7, 2005

By The Commission:

On April 27, 2005, UBET Telecom, Inc. (“UBET”) and Uintah Basin Telecommunications Association, Inc. (“UBTA”) (together hereinafter referred to as “Applicants”) filed an Application for Increase in USF Eligibility seeking an annual increase of \$7,238,847. On May 11, 2005, the Division of Public Utilities (“Division”) filed its Initial Response of DPU and Request for Hearing noting that the requested USF increase raises several issues, including: (1) Applicants’ inclusion of the acquisition premium that UBTA paid in order to acquire UBET from Qwest, despite UBTA’s prior agreement that said premium would not be included in the rate base or revenue requirement of the companies; (2) potential Commission reevaluation of rate of return calculation for cooperatives; and (3) the Division’s initial calculation that approval of the requested USF increase would require an increase in the USF surcharge to 1.7 percent, approximately double the current rate.

On May 25, 2005, at a duly noticed Scheduling Conference, the Commission’s Administrative Law Judge informed all parties that, in addition to examining all issues typically relevant to a requested USF increase, the Commission intends this docket to address each of the issues noted by the Division, as well as examining whether it is appropriate for cooperatives to make patronage payments based on basic residential service when said service is subsidized by USF receipts.

At this Scheduling Conference, the parties agreed to the following deadlines and schedule for this docket. Therefore, unless later modified by the Commission, the following dates shall constitute the schedule in this docket:

- June 3, 2005 – Applicants’ response to outstanding Division data requests.
- July 15, 2005 – Applicants file written Direct Testimony addressing the request for USF increase as well as those issues outlined above. Applicants’ may also file an Application for Interim Rate Relief as they deem appropriate.
- August 30, 2005 – Rebuttal testimony from all parties
- September 15, 2005 – Sur-rebuttal testimony
- October 1, 2005 – Discovery Cutoff
- October 18-19, 2005 – Hearing commences at 9:00 a.m. in the Administrative Law Judge’s Hearing Room, Room 451, on the Fourth Floor of the Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah.
- October 20, 2005 – Holdover date for hearing

Individuals wishing to participate by telephone should contact the Commission at least two days prior to make arrangements. On the day of the hearing, participants must call (801) 530-6716 or call toll-free 1-866-PSC-UTAH (1-866-772-8824) at least five minutes prior to the start time to ensure participation.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations, including auxiliary communication aids and services, should notify Julie Orchard, Commission Secretary, at 160 East, 300 South, Room 400, Box 45585, Salt Lake City, Utah 84145-0585, telephone: (801) 530-6713, at least three working days prior.

Dated at Salt Lake City, Utah this 7th day of July, 2005.

/s/ Julie Orchard
Commission Secretary

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