



State of Utah  
Department of Commerce  
Division of Public Utilities

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October 22, 2008

**TO: PUBLIC SERVICE COMMISSION**

**FROM: DIVISION OF PUBLIC UTILITIES**

Philip J. Powlick, Director  
Bill Duncan, Manager, Telecommunications  
Casey J. Coleman, Technical Consultant

**Re:** In the Matter of the Joint Application of Lightyear Network Solutions, LLC and Wherify Wireless, Inc., for Approval of the Indirect Transfer of Control of Lightyear Network Solutions, LLC, to Wherify Wireless, Inc. per Docket No. 08-2434-01

**RECOMMENDATION: Approve indirect transfer of control.**

**ISSUES:**

On August 27, 2008 Lightyear Network Solution, LLC (“Lightyear”), and Wherify Wireless, Inc. (“Wherify”) filed a petition with the Commission indicating the indirect transfer of control of Lightyear to Wherify. Other than the insertion of Wherify as the ultimate parent of Lightyear, the proposed transaction will have no impact to Lightyear’s customers. Lightyear will still continue to operate in Utah serving the same customers with the same prices as before. The Division recommends that the Commission approve the request by the applicants to approve the indirect transfer of control to Wherify.

cc: Michael Ginsberg, Assistant Attorney General  
Jean L. Kiddo, Bingham McCutchen LLP  
John Greive, Lightyear Network Solutions, LLC  
Vincent D. Sheeran, Wherify Wireless, Inc