

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Complaint of Bresnan)
Broadband of Utah, LLC against UBTA-) DOCKET NO. 09-2476-01
UBET Communications, Inc.) REPORT AND ORDER

ISSUED: September 2, 2009

By The Commission:

This matter is before the Commission on the Utah Rural Telecom Association's (URTA) Petition to Intervene. The URTA moved to intervene in this complaint on September 1, 2009. Bresnan Broadband of Utah, LLC (Bresnan) filed its Response September 1, 2009, opposing the intervention. Because the schedule for briefing and hearing dates in this matter is compressed, the Commission rules on an expedited basis.

The Commission finds that URTA's intervention in this complaint is not appropriate. The matter is limited to Bresnan's attempt to enforce an order on interconnection and the extent to which UBET has complied with that order. Also, the issues raised in this matter are legal and contractual, and will not substantially affect URTA's member's legal rights. Any remedies would be limited to UBET, and would not directly impact other members of the URTA. Finally, any broader policy issues that could affect URTA have been addressed in previous orders, and URTA has adequate remedies for review of those previous orders. For the foregoing reasons, the Commission denies URTA's petition to intervene. The Scheduling Order and Notice of Hearing entered in this matter on August 31, 2009 is hereby amended to strike URTA from participation in the briefings or the hearing.

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DATED at Salt Lake City, Utah, this 2nd day of September, 2009.

/s/ Ruben H. Arredondo
Administrative Law Judge

Approved and confirmed this 2nd day of September, 2009, as the Report and
Order of the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#63430