

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

* * *

IN THE MATTER OF THE)
APPLICATION OF BROADVIEW)
NETWORKS, INC. FOR A) DOCKET NO: 09-2514-01
CERTIFICATE OF CONVENIENCE)
AND NECESSITY TO PROVIDE)
RESOLD AND FACILITIES-)
BASED LOCAL EXCHANGE)
SERVICES IN THE STATE OF)
UTAH.)
_____)

TRANSCRIPT OF HEARING PROCEEDINGS

HELD AT: Public Service Commission
160 East 300 South, Room 451
Salt Lake City, Utah

DATE: November 17, 2009

TIME: 9:00 a.m.

REPORTED BY: RENEE L. STACY, CSR, RPR

A P P E A R A N C E S

ADMINISTRATIVE LAW JUDGE:

RUBEN ARREDONDO

FOR BROADVIEW NETWORKS, INC.

CHARLES HUNTER
Attorney at Law
800 Westchester Avenue
Suite N-501
Rye Brook, NY 10573

FOR THE DIVISION OF PUBLIC UTILITIES:

MICHAEL GINSBERG
Assistant Attorney General
OFFICES OF THE UTAH ATTORNEY GENERAL
160 East 300 South
Fifth Floor
Post Office Box 140857
Salt Lake City, UT 84114-0857

WITNESSES:	PAGE
RON SLUSHER	
Direct Examination by Mr. Ginsberg.	4

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

November 9, 2009

9:00 a.m.

P R O C E E D I N G S

JUDGE ARREDONDO: This is Docket Number 09-2514-01 in the matter of the Application of Broadview Networks for a Certificate of Public Convenience and Necessity, and let's take appearances.

Mr. Hunter can you tell us who you're with?

MR. HUNTER: I am with Broadview Networks, Inc.

JUDGE ARREDONDO: Thank you. Are you their general counsel?

MR. HUNTER: Yes. One of my titles is general counsel, yes.

JUDGE ARREDONDO: Okay. Thank you. Anybody else on the phone with you?

MR. HUNTER: No. I'm here alone.

JUDGE ARREDONDO: Okay. And with the Division?

MR. GINSBERG: Michael Ginsberg. And with me is Ron Slusher, with the Division.

JUDGE ARREDONDO: Okay. Thank you.

And with that, let's go ahead and begin.

1 The Commission does have the recommendation of the
2 Division, filed October 29th, 2009, recommending
3 approval of the certificate. And is Mr. Slusher
4 going to testify?

5 MR. GINSBERG: Yes. We could put on some
6 brief testimony.

7 JUDGE ARREDONDO: Mr. Slusher, if you could
8 raise your right hand for me.

9 RON SLUSHER
10 called as a witness and sworn, was examined and
11 testified as follows:

12 JUDGE ARREDONDO: Thank you. Go ahead.

13 DIRECT EXAMINATION

14 BY MR. GINSBERG:

15 Q Can you state your name for the record and
16 what your position is?

17 A My name is Ron Slusher, S-L-U-S-H-E-R, and
18 I'm a tech consultant for the Division of Public
19 Utilities.

20 Q And what was your role with respect to this
21 application for certificate by this company?

22 A I reviewed the customer's application and
23 submitted the recommendation to the Commission.

24 Q So you prepared the October 29th memorandum
25 that was referred to?

1 A I did.

2 Q Can you provide a brief summary of your
3 recommendations?

4 A Sure. On October 15th, Broadview Networks
5 submitted an application to the Division for a
6 certificate of public convenience and necessity. The
7 Division reviewed their technical, managerial, and
8 financial abilities and found that they fulfilled the
9 requirements in the existing Commission rules.

10 They requested that the hundred thousand
11 dollar bond be waived, and we would agree with that,
12 and they also plan to operate as a provider of resold
13 and facility-based interexchange and nonswitched
14 local exchange telecommunications services throughout
15 the state of Utah, excluding the areas of 5,000
16 access lines and carriers with fewer than 30,000
17 access lines.

18 Q Do you have any other additional comments?

19 A I do not.

20 MR. GINSBERG: That's all we have.

21 JUDGE ARREDONDO: Okay. Thank you,
22 Mr. Slusher.

23 Mr. Hunter, anything you'd like to add?

24 MR. HUNTER: No. I think that covered it
25 rather well.

1 JUDGE ARREDONDO: All right. Thank you.
2 Then with that, the Commission will note the
3 recommendation of the Division and the testimony
4 today. We're recommending approval. I'll make a
5 recommendation to the Commission that we issue the
6 certificate. And that's the end of our hearing.
7 Thank you.

8 (Whereupon the taking of the hearing was
9 concluded at 9:05 a.m.)

10 * * * *

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

I, RENEE L. STACY, Certified Shorthand Reporter, Registered Professional Reporter and Notary Public for the State of Utah, certify:

That the foregoing transcript, consisting of Pages 1 to 6, was stenographically reported by me at the time and place hereinbefore set forth; that the same was thereafter reduced to typewritten form, and that the foregoing is a true and correct transcript of those proceedings.

I further certify that I am neither counsel for nor related to any party to said action nor in anywise interested in the outcome thereof.

IN WITNESS WHEREOF, I have subscribed my name and affixed my seal this 18th day of November, 2009.

RENEE L. STACY, CSR, RPR
Notary Public in and for the
County of Salt Lake, State of Utah

My Commission Expires:

November 9, 2011