

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Consideration of the )  
Costs to the Department of Community and ) DOCKET NO. 10-2528-01  
Culture (DCC) for Determining Eligibility )  
for Lifeline Applications ) NOTICE OF AGENCY ACTION  
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ISSUED: December 2, 2010

By The Commission:

Pursuant to Utah Code Ann. § 63G-4-201, notice is hereby given that, pursuant to Utah Code Ann. § 54-4-1, Utah Code Ann. § 54-8b-15, 47 USC § 214(e)(2) and applicable state Rules, the Commission will commence adjudicative proceedings to resolve issues surrounding the designation of a common carrier as an Eligible Telecommunications Carrier (ETC).

Specifically, those issues—to the extent known at this time, are as follows:

- The process for verification of continuing eligibility (i.e. annual certification) of Lifeline customers;
- The determination of entities that may verify the continuing eligibility of Lifeline customers;
- The method of calculation and recovery of costs for verifying continuing eligibility of Lifeline customers, particularly for ETCs not paying to the state USF fund;
- The role of the “responsible agency”, *see Utah Admin. Code R.746-341-2.B.*, in verifying continuing eligibility of Lifeline customers;
- The determination and implementation of a process to prevent customers from receiving duplicate service from multiple providers (double-dipping);

- The process for avoiding unauthorized changes of a Lifeline carrier, and preventing slamming;
- Whether the findings, conclusions, and orders made in this proceedings apply equally to all ETCs in the state, regardless of technology or business model used;
- Whether additional rulemaking proceedings/and or additional reporting requirements are necessary to implement the determinations made in these proceedings.
- The Commission may raise additional issues to be addressed in these proceedings as discovery proceeds and after notice of those issues is provided to the parties.

ORDER

1. The title of this matter is amended from “In the Matter of the Consideration of the Costs to the Department of Community and Culture (DCC) for Determining Eligibility for Lifeline Applicants” to “In the Matter of the Resolution of Certain Issues Related to the Designation of a Common Carrier as an Eligible Telecommunications Carrier.” The docket number shall remain the same.
2. These proceedings shall be conducted formally pursuant to Utah Code Ann. §63G-4-204 through -209 and applicable statutes and Rules governing the Commission;
3. Each respondent/party served, shall file a response within 30 days, stating its appearance in this matter and identifying any additional issues it desires the Commission to consider in these proceedings;
4. The Commission will schedule a technical conference following the filing of responses;

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5. A hearing shall be set in this matter, following a period of discovery. The time and place for such hearing will be issued in a notice to follow;
6. The Commission's presiding officer for these hearing shall be Ruben Arredondo, Administrative Law Judge of the Commission, 160 East 300 South, Fourth Floor, Salt Lake City, Utah 84111, 801-530-6716

DATED at Salt Lake City, Utah, this 2<sup>nd</sup> day of December 2010.

/s/ Ruben H. Arredondo  
Administrative Law Judge

Approved and confirmed this 2<sup>nd</sup> day of December, 2010, as the Notice of Agency Action 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#69944

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I hereby certify that on this day, Thursday, December 2, 2010, I served a true copy of the hereto NOTICE OF AGENCY ACTION attached on the persons whose names are set forth below by mailing such copy on said date in a post office in Salt Lake City, Utah, properly enclosed in a sealed envelope with postage prepaid thereon, legibly addressed to the addresses shown:

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NOTICE OF AGENCY ACTION:  
ATTACHMENT A

The NOTICE OF AGENCY ACTION was sent via electric mail to the persons whose electronic addresses appear on this Attachment A to the Notice of Agency Action, on December 2, 2010: