



State of Utah
Department of Commerce
Division of Public Utilities

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June 6, 2014

TO: PUBLIC SERVICE COMMISSION

FROM: DIVISION OF PUBLIC UTILITIES
Chris Parker, Director
Bill Duncan, Manager, Telecommunications and Water
Paul M. Anderson, Utility Technical Consultant

RE: Docket No. 13-052-T02 South Central Utah Telephone Association, Inc. filing to give notice of permissive detariffing of wireline broadband internet access service (DSL) in compliance with the FCC USF/ICC Transformation Orders.

ISSUE:

South Central Utah Telephone Association (SCUTA) is filing a notification to the Public Service Commission that it is detariffing its existing Wireline Broadband Internet Access Service commonly known as DSL service. SCUTA has also notified the FCC, NECA, and the Arizona Corporation Commission as well as its own customers of this decision as required in Paragraph 101 of the Federal Communications Commission's Report and Order and Notice of Proposed Rulemaking in CC Docket Numbers 02-33 and 01-337 released September 23, 2005, FCC 05-150 ("Broadband Internet Order").

RECOMMENDATION: Acknowledge Detariff Notification

The Division reviewed the notification that SCUTA is proposing to detariff DSL but continue to provide it on a common-carriage basis through its subsidiary. SCUTA provided the following reasons it is making this change:

"The reasons the Company has elected to make this change in its offering of WBIATS are cost and competition related. Currently, the company is required to offer WBIATS under the rates, terms and conditions of National Exchange Carrier Association (NECA) Tariff F.C.C. No. 5. The rates per NECA's tariff are nationwide average rates. By detariffing its wireline broadband internet access transmission service, the Company will gain greater flexibility which will enable the Company to respond to changing customer demands more quickly than under a tariffing regime. By electing this option, the Company will be able to not only offer more competitive prices but also offer new and

innovative service arrangements that respond to the customer needs. The Company's hope is that this change will increase the use of broadband internet access, a goal shared not only by the Company but also by the Federal government, State of Utah and State of Arizona."

The Division recognizes that SCUTA has this option to detariff DSL, as many rate of return companies across the nation are utilizing and sees no reason to object and recommends that the Commission acknowledge this action that SCUTA is planning to take effect on July 1, 2014.

cc: Michael East, CEO/General Manager, South Central Utah Telephone Association, Inc.
Justin Jetter, Assistant Attorney General, Utah Attorney General's Office
Kira M. Slawson, Attorney, Blackburn & Stoll, LC
Marialie Martinez, Manager, Customer Service, Utah Division of Public Utilities
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