



State of Utah
Department of Commerce
Division of Public Utilities

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MEMORANDUM

To: Public Service Commission

From: Division of Public Utilities
Chris Parker, Director
Bill Duncan, Telecommunications / Water Manager
Casey J. Coleman, Utility Technical Consultant

Date: January 17, 2014

Re: Petition of Tempo Telecom, LLC for Designation as an Eligible Telecommunications Carrier in the State of Utah per Docket No. 13-2569-01.

RECOMMENDATION:

The Division recommends that the Commission holds a scheduling conference in this Docket.

ISSUES:

On January 6, 2014 the Division filed a memo with the Commission requesting suspension of this Docket because of ambiguity regarding the Compliance Plan approved by the FCC ("Federal Communications Commission") for Tempo Telecom, LLC ("Tempo"). A few days after filing the suspension memo with the Commission the Division received a letter from Tempo to the FCC indicating that the approvals of the Compliance Plans are not state specific but instead are a general approval to serve anywhere within the jurisdiction of the FCC. The letter from Tempo is attached with this memo.

The Division believes this letter clarifies the confusion with the approval of the Compliance Plan and that the reason for the suggested suspension in the memo filed January 6, 2014 is not longer moot. Therefore the Division recommends the Commission establish a schedule for filing testimony, intervention of interested parties, and hearing dates for this docket.

cc: Justin Jetter, Assistant Attorney General
Cheryl Murray, Utility Analyst, Office of Consumer Services, State of Utah
Williams J. Evans, Parsons Behle & Latimer
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