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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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IN THE MATTER OF UBTA-UBET
COMMUNICATIONS INC.'S (dba
STRATA NETWORKS)
APPLICATION FOR UTAH
UNIVERSAL SERVICE FUND
SUPPORT

PETITION TO INTERVENE OF UTAH
RURAL TELECOM ASSOCIATION, INC.

DOCKET NO. 15-053-01

The Utah Rural Telecom Association (“URTA”), on behalf of itself and URTA members, All West Communications, Inc., Bear Lake Communications, Carbon/Emery Telcom, Inc., Central Utah Telephone, Inc., Direct Communications Cedar Valley, Emery Telephone, Hanksville Telcom, Inc., Manti Telephone Company, Inc. Skyline Telecom, South Central Utah Telephone Association, Inc., and Union Telephone (“Members”) petitions the Public Service Commission (“Commission”) for intervention in the above-entitled matter pursuant to Utah Code Ann. § 63G-04-207 and Utah Admin. Code R746-100-7. As grounds for such intervention, URTA states that its Members have legal rights or interests that are or may be substantially

affected by these proceedings, that there are facts which support this position detailed below, and that URTA requests that it be allowed intervention on behalf of its Members.

At the outset, URTA and its Members URTA note that the Scheduling Order entered in this Docket requires that Petitions for Intervention be made on or before the same date that non-applicant testimony is due. Therefore, URTA cannot wait to review the testimony that will be filed by the Office and the Division prior to moving for intervention, and still preserve its rights in this docket. Therefore, URTA seeks intervention at this time to preserve its ability to participate in this docket as needed. In the event that the Testimony filed by the Office and Division does not seek the policy changes that URTA anticipates based on current pending UUSF cases, URTA will withdraw its Petition for Intervention.

In support of this Petition URTA states as follows:

1. URTA is a Utah non-profit corporation. URTA Members, like UBTA-UBET Communications, Inc. dba Strata Networks (“Strata Networks”), are local exchange carriers providing public interstate and intrastate telecommunications services in Utah pursuant to certificates of public convenience and necessity issued by this Commission. URTA Members’ rates for intrastate service are regulated by this Commission. Additionally, the URTA Members’ eligibility for Utah Universal Service Fund distributions is regulated by this Commission.

2. The URTA Members are concerned that long-established principles regarding the allocation of costs for fiber facilities used to provide interstate and intrastate services as well as the assignment of costs between regulated and non-regulated companies may be subject to *ad hoc* challenge by the Office of Consumers Services. URTA and its Members base this concern on the Testimony filed by the Office of Consumer Services in concurrent UUSF Applications pending at the Commission. Any departure from well settled principles regarding allocation of

fiber facilities and the establishment of wholesale broadband rates, are issues that will likely significantly affect each of the URTA Members.

3. The URTA Members are also concerned that the Division and the Office may depart from the general concepts and treatment of group asset depreciation which is an industry standard used by most, if not all, of the URTA Members as permitted by the Federal Communications Commission (FCC), USAC, and regulatory accounting principles contained in 47 U.S.C. Part 32, and as adopted by this Commission in Utah Admin. Code R746-340-2.D. URTA Members base this concern on the Testimony filed by the Division and the Office in concurrent UUSF dockets pending at the Commission. The decisions the Commission makes in this docket may establish new policy of the Commission, the Division, and the Office for each of the URTA Members' treatment and use of group asset depreciation and accounting, and will affect the URTA Members accounting procedures, accounting and consulting costs, future rate cases, and USF eligibility before this Commission. Administratively, departure from group asset depreciation will require URTA Members' to keep another set of books separate and apart from those maintained for FCC/USAC and tax purposes.

4. URTA and its Members believe that issues regarding policy changes such as those identified herein are better reserved for a rule-making proceeding. However, in the event these issues will be addressed in Strata Networks' UUSF Application, URTA and its Members have a significant interest in these matters and this proceeding as their legal rights or interests may be substantially affected by the outcome of issues in this docket.

5. The interests of justice and the orderly and prompt conduct of this proceeding will not be materially impaired by allowing URTA to intervene. URTA is prepared to offer Testimony on these issues pursuant to the Scheduling Order in this case, once its intervention is

granted. Additionally, it should be noted that the URTA Members are not interested in the detailed analysis and review of Strata Networks' financial books, records, or the calculations contained in Strata Networks' Application, but rather will focus their inquiry on the larger policy issues identified herein. Therefore, the URTA Members do not seek access to the confidential financial records of Strata Networks that may have been provided to the Office of Consumer Services and the Division of Public Utilities in response to data requests.

6. URTA and its Members request that they be permitted to supplement this Petition with additional issues which may be raised in the Testimony filed by the Office and the Division on September 25, 2015, as needed.

7. URTA requests that copies of all notices and filings in this docket be served on:

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Please serve notices and filings electronically whenever possible.

NOW THEREFORE, URTA respectfully requests that the Commission enter an Order granting URTA's petition to intervene in this docket allowing URTA and URTA Members to participate to the fullest extent allowed by law.

Dated this 24th day of September, 2015.

BLACKBURN & STOLL, LC

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Association

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Utah Rural Telecom Association's Motion to Intervene was transmitted electronically (email) on this the 24th day of September, 2015 to the following:

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