



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: June 15, 2016

Re: In the Matter of Nexus Communications, Inc., d/b/a/ ReachOut Wireless' Relinquishment of Eligible Telecommunications Carrier Status in Utah per Docket No. 16-2540-01.

RECOMMENDATION:

The Division recommends that the Commission Relinquish Nexus Communications, Inc., d/b/a/ ReachOut Wireless ("Nexus") Eligible Telecommunications Carrier ("ETC") status in Utah.

ISSUES:

On May 23, 2016 Nexus filed a petition with the Commission requesting relinquishment of its ETC designation in the State of Utah. In the petition Nexus indicates it intends to relinquish its Lifeline-only ETC designation effective June 30, 2016.

As of the filing of the petition, Nexus did not have any customers in the State of Utah. As a result no citizens of Utah will be impacted by the relinquishment of the ETC status for Nexus.

As stated in the Petition Nexus's legal threshold is outlined in 47 U.S.C. § 214(e)(4) which allows a State commission to permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. Nexus submitted a list of competitors who have been granted ETC status within the State of Utah. The Division reviewed the list of other ETCs and agrees that there are other ETCs serving in the State of Utah. Therefore the Division concludes that Nexus has met the threshold for relinquishment.

Because of the reasons stated above, the Division recommends the Commission grant the petition to relinquish the ETC designation for Nexus and suggest the relinquishment become effective by the stated date of June 30, 2016.

cc: Trisha Schmid, Assistant Attorney General
Justin Jetter, Assistant Attorney General
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