In the Matter Of:

In Re: Q Link Wireless LLC - Petition for Designation as an ETC

HEARING, DOCKET NO. 18-2549-02

October 22, 2018

Job Number: 504213

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 3
              BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH
 4
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 6
      In the Matter of Q Link Wireless, LLC ) Docket No. 18-2549-02
 7
 8
     Petition to Amend Q Link Wireless,
 9
                                           ) HEARING
     LLC's Designation as an Eligible
10
     Telecommunications Carrier to
11
12
     Participate in the Utah Universal
     Service Fund
13
14
15
16
17
                               October 22, 2018
18
19
                                   3:02 p.m.
20
                  Location: Utah Public Service Commission
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22
                        160 East 300 South, 4th Floor
                         Salt Lake City, Utah 84111
23
24
                        Reporter: Angela L. Kirk, RPR
25
     Job No. 504213
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		Daga 2
1	APPEA	Page 2 ARANCES
2	For Q Link Wireless, LLC: (Via telephone)	-
3	The (Via ecrephone)	333 W. Wacker Drive, 26th Floor Chicago, Illinois 60606
4		(312) 857-7070
5	For Division of Public Utilities:	Justin Jetter, Esq. UTAH ATTORNEY GENERAL'S OFFICE
6	OCTITOTES.	160 East 300 South, 5th Floor Salt Lake City, Utah 84114
7		(801) 366-0353
8	For Office of Consumer Services:	Robert Moore, Esq. UTAH ATTORNEY GENERAL'S OFFICE
9	BCI VICCD.	160 East 300 South, 5th Floor Salt Lake City, Utah 84114
10		(801) 366-0353
11	I N	IDEX
12	Witness	Page
13	ISSA ASAD (Via Telephone)	
14	Examination by Mr. Dove	er 5
15	CASEY J. COLEMAN	
16	Examination by Mr. Jett	er 12
17	CHERYL MURRAY	
18	Examination by Mr. Moor	re 14
19		
20		
21		IBITS
22	No. Description	Received
23	1 Petition and Issa	Asad's written testimony 11
24		
25		
1		

1	Page 3 Monday, October 22, 2018; 3:02 p.m.
2	PROCEEDINGS
3	HEARING OFFICER: All right. Let's go ahead
4	and go on record, please. Good afternoon everyone.
5	This is the time and place noticed for hearing in the
6	matter of the petition to amend Q Link Wireless LLC's
7	designation as an eligible telecommunications carrier
8	to participate in the Utah Universal Service Fund.
9	It's Commission Docket No. 18-2549-02. My
10	name is Michael Hammer, and I'm the Commission's
11	designated presiding officer for this hearing.
12	With that, let's go ahead and take
13	appearances, please, beginning with the applicant.
14	MR. DOVER: On behalf of applicant Q Link
15	Wireless LLC, Michael R. Dover of the law firm Kelley,
16	Drye & Warren, LLC. Also appearing with me
17	telephonically is the CEO of Q Link Wireless LLC, Issa
18	Asad.
19	MR. JETTER: Good afternoon. I'm Justin
20	Jetter with the Utah Attorney General's Office, and I'm
21	here today representing the Utah Division of Public
22	Utilities. With me at the counsel table here in the
23	hearing room is Casey Coleman with the Division.
24	MR. MOORE: Robert Moore with the Attorney
25	General's Office representing the Office of Consumer

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Page 4
     Services. With me is Cheryl Murray from the Office.
 1
 2
                 HEARING OFFICER: Thank you everyone. Let me
 3
     ask, before we begin, are there any preliminary matters
     we need to address?
 4
                 MR. JETTER: None from the Division.
 5
                 MR. MOORE: None from the Office.
 6
                 MR. DOVER: None from Applicant, Your Honor.
 7
 8
                 HEARING OFFICER: Thank you. Then, Mr.
 9
     Dover, please go ahead with your first witness.
10
                 MR. DOVER: Thank you, Your Honor. I'd like
11
     to call Issa Asad.
12
                 HEARING OFFICER: Mr. Asad, do you swear --
13
     well, let me ask the other parties first, is there any
     objection to Mr. Asad testifying by telephone?
14
                 MR. JETTER: No objection from the Division.
15
16
                 MR. MOORE: No objection.
17
                 HEARING OFFICER: Thank you. With that, Mr.
18
     Asad, do you swear to tell the truth?
19
                 THE WITNESS: Yes, sir, I do.
2.0
                 HEARING OFFICER: Thank you.
21
                 MR. DOVER: Thank you, Your Honor.
22
     //
23
     //
24
25
     //
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	Page 5
1	ISSA ASAD,
2	called as a witness at the instance of Q Link Wireless
3	LLC, having been first duly sworn, was examined and
4	testified as follows:
5	EXAMINATION
6	BY MR. DOVER:
7	Q. Mr. Asad, please state and spell your name
8	for the record.
9	A. Issa Asad.
10	Q. And could you spell your name for the record?
11	A. I-S-S-A A-S-A-D.
12	Q. Thank you. And are you employed by Q Link
13	Wireless LLC, the applicant in this proceeding?
14	A. Yes, I am.
15	Q. And what is your position at Q Link?
16	A. CEO.
17	Q. Thank you. And is Q Link currently
18	designated by the Commission to provide federally
19	supported low-income lifeline services in Utah?
20	A. Yes, sir, it is.
21	Q. And do you know approximately when Q Link
22	became designated to provide those services in Utah?
23	A. 5th December 2012.
24	Q. Thank you. Are you familiar with Q Link's
25	petition to amend this designation and to participate

	Page 6
1	in the Utah Universal Service Fund?
2	A. Yes, I am.
3	Q. And approximately when was that petition
4	submitted?
5	A. Petition was submitted on May 23rd, 2018.
6	Q. Thank you. Did you review and verify that
7	petition?
8	A. Yes, I did.
9	Q. And have you reviewed the strike that. I
10	apologize.
11	Are there any corrections to the petition
12	that you'd like to make at this time?
13	A. Yes, there is.
14	Q. Thank you. Could you turn to page 8 of the
15	petition
16	A. Yes.
17	Q and describe for everybody the change
18	you'd like to make in the petition, please?
19	A. Halfway down the page, where it says "bundled
20	plan," instead of "1,000 minutes and one gig of data,"
21	it should be "unlimited anytime minutes per month."
22	Q. Thank you.
23	A. The rest remains the same.
24	Q. Thank you. And is the remainder of the
25	petition true and accurate, to the best of your

Page 7 1 knowledge? 2 Α. Yes, it is. 3 0. Thank you. Did you also provide written 4 direct testimony in support of Q Link's petition to amend its ETC designation? 5 Yes, I did. 6 Α. 7 0. Approximately when was that testimony submitted in these proceedings? 8 9 June 22nd, 2018. Α. Thank you. And are there any corrections to 10 Q. 11 the testimony that you'd like to make today? 12 Α. No, sir. 13 0. Does that written testimony provide a 14 description of the rate offerings proposed by Q Link if it's accepted to participate in the Universal Service 15 Fund in Utah? 16 17 Yes, it does. Α. 18 Q. Can you turn to page 7 of the -- that written 19 testimony? 20 7 or 11? Α. 21 0. Page 7. 22 Α. Okay. 23 Q. Briefly describe for -- for everyone the proposed rate offerings Q Link is proposing if it's 24 accepted as a (undecipherable) for the State Utah 25

1	Page 8 Universal Service Fund?
2	COURT REPORTER: It kind of cut out a little
3	bit.
4	A. The proposed is a bundled plan which includes
5	HEARING OFFICER: I'm sorry, let me interrupt
6	you for one Mr. Asad, one second, please. Our court
7	reporter needs a clarification on some testimony.
8	COURT REPORTER: Well, actually, it was the
9	question.
10	HEARING OFFICER: Question, I'm sorry.
11	COURT REPORTER: Yeah. "Briefly describe for
12	everyone the proposed rate offerings Q Link is
13	proposing if" and then it was kind of breaking up.
14	I didn't hear all of that.
15	HEARING OFFICER: Did you hear the question,
16	Mr. Dover?
17	MR. DOVER: No, I didn't, Your Honor.
18	COURT REPORTER: Oh, I'm sorry, you didn't
19	hear me. Okay. Okay. I'm sorry, Mr. Dover, this is
20	the court reporter, and I only heard part of your
21	question, and the other part kind of broke up and I
22	wasn't sure I heard it right. I've got, "Briefly
23	describe for everyone the proposed rate offerings Q
24	Link is proposing if excessive"
25	MR. DOVER: If it if it's if accepted

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Page 9
 1
     to participate in the Utah State Universal Service
 2
     Fund.
 3
                                  Thank you.
                 COURT REPORTER:
 4
                 HEARING OFFICER: Please go ahead with your
 5
     answer.
 6
                 MR. DOVER: Does that answer your question?
                 COURT REPORTER: It did, yes, and I'm ready
 7
     for the answer.
 8
                 HEARING OFFICER: Go ahead, Mr. Asad.
 9
                 The rate -- the plan offering that Q Link
10
            Α.
     Wireless plan has been offering in the State of Utah is
11
12
     unlimited minutes and one gig of data, unlimited text
13
     and picture messaging. That's it.
14
                 (By Mr. Dover)
                                 Thank you. And can you
     briefly describe for everyone here how Q Link's
15
     participation in the Utah Universal Service Fund would
16
     advance the public interest for Utah consumers?
17
                 Obviously, an increasing market of -- I mean
18
19
     a market to where there is other providers is in the
20
     interest of the Utah consumers for Q Link to offer an
21
     increased customer choice and the customer will be
22
     allowed more support services if Q Link fewer
23
     (undecipherable) --
24
                 COURT REPORTER: "Fewer"? I'm sorry "...and
     fewer..." Sorry, Mr. Asad, "...and fewer..." It just
25
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Page 10 1 broke up again. 2 Α. If O Link would be allowed to receive additional supportive services. 3 4 COURT REPORTER: Okav. Thank you. And, in turn, Q Link would offer additional 5 consumer choice. 6 (By Mr. Dover) And does your written direct 7 0. testimony provide a greater description of the public 8 interest for Utah consumers at page 11? 9 Yes, sir, it does. 10 Α. 11 And with regard to all of the questions in Q. 12 your written direct testimony, are they true and 13 accurate, to the best of your knowledge? 14 Α. Yes, they are. If I were to ask you the questions contained 15 Q. 16 in your written direct testimony, would you provide those same responses as you sit here today? 17 18 Α. Yes, I would. Thank you. Lastly, did Q Link enter into a 19 0. stipulation and settlement agreement with Utah Division 20 21 of Public Utilities and the Utah Office of Consumer 22 Services? 23 Α. Yes, we did. 24 Ο. Approximately when was that? 25 A couple weeks ago, October 4th, 2018. Α.

	Page 11
1	Q. Have you reviewed the stipulation and
2	settlement agreement?
3	A. Yes, I have.
4	Q. Does Q Link intend to abide by the terms of
5	the stipulation and settlement agreement?
6	A. Yes, Q Link does.
7	Q. Thank you. Your Honor, at this time I'd ask
8	for the admission of the petition and Mr. Asad's
9	written testimony exhibit as evidence in support of the
10	Q Link petition for designation, and would turn over
11	the witness at this time.
12	HEARING OFFICER: Any objection?
13	MR. JETTER: No objection.
14	MR. MOORE: No objection.
15	HEARING OFFICER: They're admitted. And Mr.
16	Jetter, any cross-examination?
17	MR. JETTER: I have no questions for the
18	Division. Thank you.
19	HEARING OFFICER: Mr. Moore?
20	MR. MOORE: No questions, thank you.
21	HEARING OFFICER: Thank you. Mr. Dover, no
22	other witnesses?
23	MR. DOVER: No, I have no other witnesses,
24	Your Honor.
25	HEARING OFFICER: All right. Thank you very

	Page 12
1	much.
2	Mr. Jetter?
3	MR. JETTER: Thank you, Your Honor. The
4	Division would like to call and have sworn in Casey
5	Coleman.
6	HEARING OFFICER: Mr. Coleman, do you swear
7	to tell the truth?
8	THE WITNESS: Yes.
9	HEARING OFFICER: Thank you.
10	CASEY J. COLEMAN,
11	called as a witness at the instance of Division of
12	Public Utilities, having been first duly sworn, was
13	examined and testified as follows:
14	EXAMINATION
15	BY MR. JETTER:
16	Q. Mr. Coleman, would you please state your name
17	and occupation for the record?
18	A. My name's Casey J. Coleman. I'm a utility
19	technical consultant for the Division of Public
20	Utilities.
21	Q. Thank you. In the course of your employment
22	with the Division of Public Utilities, have you had an
23	opportunity to review the application and testimony
24	along filed by the applicant in this docket, along
25	with the other filings in this docket?

	Page 13
1	A. Yes.
2	Q. Have you review the settlement stipulation
3	that was filed in this docket?
4	A. Yes.
5	Q. And in light of the testimony that's given
6	been given today, as well as the prior filings in this
7	docket, do you believe that approval of the application
8	by the terms of the stipulation and settlement
9	agreement would be just, reasonable, and in the public
10	interest?
11	A. Yes.
12	Q. And finally, are you aware of any public
13	outside of the Division that has offered any comments
14	or anything like that to the Division that would oppose
15	approval of this application?
16	A. No.
17	MR. JETTER: Thank you. I have no further
18	questions for Mr. Coleman. He's available for cross.
19	HEARING OFFICER: Mr. Dover, any questions?
20	MR. DOVER: I have no questions, Your Honor.
21	HEARING OFFICER: Mr. Moore?
22	MR. MOORE: No questions.
23	HEARING OFFICER: All right. Mr. Jetter, any
24	other witnesses?
25	MR. JETTER: No more witnesses for the

	Page 14
1	Division. Thank you.
2	HEARING OFFICER: Thank you. Mr. Moore?
3	MR. MOORE: The Office would call and have
4	sworn in Cheryl Murphy [sic].
5	HEARING OFFICER: Ms. Murray, do you swear
6	do you swear to tell the truth?
7	THE WITNESS: Yes.
8	CHERYL MURRAY,
9	called as a witness at the instance of the Office of
10	Consumer Services, having been first duly sworn, was
11	examined and testified as follows:
12	EXAMINATION
13	BY MR. MOORE:
14	Q. Please state your name and title.
15	A. My name is Cheryl Murray. I'm a Utility
16	Analyst with the Office of Consumer Services.
17	Q. Have you reviewed the Applicant's filing and
18	testimony presented in this docket?
19	A. Yes, I have.
20	Q. Have you reviewed all of the documents that
21	have been filed in this docket?
22	A. Yes, I have.
23	Q. Did you participate in discussions that led
24	to the stipulation that is before the Commission today?
25	A. Yes, I did. The Office believes that Q Link

1	Wireless meets the requirement to qualify for Utah
2	Universal Service funds, and the Office is a party to
3	the stipulation.
4	Q. Do you have any additional comments?
5	A. Yes. As a condition of signing the
6	stipulation, the Office required the inclusion of
7	various elements that are important to achieving the
8	public interest. For example, use of a Utah specific
9	fact sheet that provides customers information about
10	the services they will receive, a commitment that Q
11	Link Wireless will comply with all state service
12	quality and consumer protection requirements,
13	acknowledgement that approval of the application is
14	conditioned upon payment of all applicable state and
15	local regulatory fees to which they are subject, Q Link
16	wireless agree to these and other conditions, and they
17	are included in the stipulation.
18	As the Commission is aware, the FCC
19	requirement regarding the provision of broadband
20	changes on December 1, 2018 from one gigabyte to two
21	gigabytes. Under the terms of the stipulation, Q Link
22	will make that change on December 1 and provide notice
23	to the Commission, Office, and Division.
24	In conclusion, the Office believes that the
25	stipulation is just and reasonable in result and in the

1	Page 16 public interest and recommends that the Commission
2	approve it. That concludes my testimony.
3	MR. MOORE: Ms. Murray is available for
4	questioning.
5	HEARING OFFICER: Mr. Dover, any questions?
6	MR. DOVER: I have no questions, Your Honor.
7	HEARING OFFICER: Mr. Jetter?
8	MR. JETTER: I have no questions. Thank you.
9	HEARING OFFICER: Mr. Moore, no other
10	witnesses?
11	MR. MOORE: No other witnesses.
12	HEARING OFFICER: All right. Thank you
13	everyone. Is there anything else before we adjourn?
14	MR. JETTER: Just very briefly, from the
15	Division I'd just like to say thank you to the parties
16	and the Commission for accommodating our schedule
17	changes in this docket.
18	HEARING OFFICER: It was our pleasure. If
19	there's nothing else, we're adjourned. Thank you.
20	(Hearing concluded at 3:16 p.m.)
21	00000
22	
23	
24	
25	
1	

1	Page 17 CERTIFICATE
2	STATE OF UTAH)
3	:ss COUNTY OF SALT LAKE)
4	I, Angela L. Kirk, a Registered Professional Reporter, Certified Court Reporter, and Notary Public
5	in and for the State of Utah, do hereby certify:
6	That the foregoing proceedings were taken before me on October 22, 2018;
7	
8	That the testimony of said witnesses was reported by me in stenotype and thereafter transcribed by computer, and that a full, true, and correct
9	transcription of said testimony so taken is set forth in the foregoing pages;
10	I further certify that I am not of kin or
11	otherwise associated with any of the parties to said cause of action, and that I am not interested in the
12	event thereof.
13	WITNESS MY HAND and official seal at Salt Lake City, Utah, this 6th day of November, 2018.
14	Mgie L. Land
15	Angela L. Kirk, RPR, CCR
16	License No. 108202-7801
17	
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22	
23	
24	
25	
l	

Index: 1..approval

1	3	8	address 4:4	amend 1:9 3:6 5:25 7:5
1 2:23 15:20, 22	300 1:22 2:6,9	8 6:14	admission 11:8	Analyst 14:16
1,000 6:20	312 857-7070 2:4	801 366-0353 2:7,10	admitted 11:15	Angela 1:24
11 2:23 7:20 10:9	333 2:3	84111 1:23	advance 9:17	anything 13:14
12 2:16	3:02 1:19 3:1	84114 2:6,9	afternoon 3:4,19	anytime 6:21
14 2:18	4	A	again 10:1	apologize 6:10
160 1:22 2:6,9	4th 1:22 10:25	A-s-a-d 5:11	ago 10:25	appearances 3:13
18-2549-02 1:7 3:9	5	abide 11:4	agree 15:16	appearing
2	5 2:14	accepted 7:15,25 8:25	agreement 10:20 11:2,5 13:9	3:16 applicable
2012 5:23	504213 1:25	accurate 6:25 10:13	ahead 3:3,12	15:14
2018 1:18 3:1 6:5 7:9 10:25	5th 2:6,9 5:23	achieving 15:7	4:9 9:4,9 all 3:3 8:14	applicant 3:13,14 4:7 5:13 12:24
15:20 22 1:18 3:1	6	acknowledge ment 15:13	10:11 11:25 13:23 14:20 15:11,14	Applicant's 14:17
22 1.16 3.1	60606 2:3	actually 8:8	allowed 9:22	application
23rd 6:5	7	additional	10:2 along 12:24	12:23 13:7,15 15:13
26th 2:3	7 7:18,20,21	10:3,5 15:4	also 3:16 7:3	approval

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Index: approximately..December

			za: approximat	
13:7,15 15:13	believe 13:7	3:23 12:4,10, 18	15:18,23	6:11 7:10
approximatel y 5:21 6:3 7:7 10:24	believes 14:25 15:24	CEO 3:17 5:16	Commission' s 3:10	counsel 3:22
Asad 2:13	best 6:25 10:13	change 6:17	commitment 15:10	couple 10:25 course 12:21
3:18 4:11,12, 14,18 5:1,7,9 8:6 9:9,25	bit 8:3	15:22 changes	comply 15:11	court 8:2,6,8, 11,18,20 9:3,
Asad's 2:23 11:8	breaking 8:13	15:20	conclusion 15:24	7,24 10:4
Attorney 2:5,	briefly 7:23 8:11,22 9:15	Cheryl 2:17 4:1 14:4,8,15	condition 15:5	cross 13:18
8 3:20,24 available	broadband 15:19	Chicago 2:3 choice 9:21	conditioned 15:14	examination 11:16
13:18 aware 13:12	broke 8:21 10:1	10:6	conditions	currently 5:17
15:18	bundled 6:19 8:4	City 1:23 2:6, 9	15:16 consultant	customer 9:21
В	C C	clarification 8:7	12:19	customers
became 5:22	call 4:11 12:4	Coleman 2:15 3:23 12:5,6,	consumer 2:8 3:25 10:6,21 14:10,16	15:9
before 1:3 4:3 14:24	14:3	10,16,18 13:18	15:12	cut 8:2
begin 4:3	called 5:2 12:11 14:9	comments 13:13 15:4	9:17,20 10:9	data 6:20
beginning 3:13	carrier 1:11 3:7	Commission 1:3,21 3:9	contained 10:15	9:12
behalf 3:14	Casey 2:15	5:18 14:24	corrections	December

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Index: describe..hearing

5:23 15:20,22	Dover 2:2,14 3:14,15 4:7,9,	Esq 2:2,5,8	fees 15:15	G
describe 6:17 7:23 8:11,23 9:15	10,21 5:6 8:16,17,19,25 9:6,14 10:7 11:21,23	everybody 6:17	fewer 9:22, 24,25	General's 2:5,8 3:20,25
description 2:22 7:14	13:19,20 down 6:19	everyone 3:4 4:2 7:23 8:12, 23 9:15	filed 12:24 13:3 14:21	gig 6:20 9:12
10:8	Drive 2:3	evidence	filing 14:17	gigabyte 15:20
designated 3:11 5:18,22	Drye 2:2 3:16	11:9 Examination	filings 12:25 13:6	gigabytes 15:21
designation 1:10 3:7 5:25 7:5 11:10	duly 5:3 12:12 14:10	2:14,16,18 5:5 12:14 14:12	finally 13:12	given 13:5,6
direct 7:4	E	examined 5:3	firm 3:15	Good 3:4,19
10:7,12,16 discussions 14:23	East 1:22 2:6,	12:13 14:11 example 15:8	first 4:9,13 5:3 12:12 14:10	greater 10:8 H
Division 2:5	elements	excessive 8:24	Floor 1:22 2:3,6,9	
3:21,23 4:5, 15 10:20 11:18 12:4,	15:7 eligible 1:10	exhibit 11:9	follows 5:4 12:13 14:11	Halfway 6:19 Hammer 3:10
11,19,22 13:13,14 14:1 15:23	3:7	F	Fund 1:13 3:8 6:1 7:16 8:1	having 5:3 12:12 14:10
docket 1:7 3:9 12:24,25	employed 5:12	fact 15:9	9:2,16	hear 8:14,15,
13:3,7 14:18, 21	employment 12:21	familiar 5:24	funds 15:2 further 13:17	19
documents 14:20	enter 10:19	FCC 15:18	10.17	heard 8:20,22 hearing 1:9
		federally 5:18		

Index: here..more

3:3,5,11,23 4:2,8,12,17,	9:18	Justin 2:5 3:19	18 7:11 12:4 13:14	7:11 15:22
20 8:5,10,15 9:4,9 11:12, 15,19,21,25	information 15:9	K	Link 1:7,9 2:2 3:6,14,17 5:2,	market 9:18, 19
12:6,9 13:19, 21,23 14:2,5	instance 5:2 12:11 14:9	Kelley 2:2 3:15	12,15,17,21 7:14,24 8:12, 24 9:10,20,22	matter 1:7 3:6
here 3:21,22 9:15 10:17	instead 6:20	kind 8:2,13,	10:2,5,19 11:4,6,10 14:25 15:11,	matters 4:3 May 6:5
Honor 4:7,10, 21 8:17 11:7,	intend 11:4	21 Kirk 1:24	15,21 Link's 5:24	mean 9:18
24 12:3 13:20 	interest 9:17, 20 10:9 13:10 15:8	knowledge	7:4 9:15	meets 15:1
	interrupt 8:5	7:1 10:13 L	little 8:2 LLC 1:7 2:2	messaging 9:13
Illinois 2:3	into 10:19		3:15,16,17 5:3,13	Michael 2:2
important 15:7	Issa 2:13,23 3:17 4:11 5:1, 9	Lake 1:23 2:6, 9 Lastly 10:19	LLC'S 1:10 3:6	3:10,15 minutes 6:20, 21 9:12
included 15:17	J	law 3:15	LLP 2:2	Monday 3:1
includes 8:4	Jetter 2:5,16 3:19,20 4:5,	led 14:23	local 15:15 Location 1:21	month 6:21
inclusion 15:6	15 11:13,16, 17 12:2,3,15 13:17,23,25	let 4:2,13 8:5	low-income	Moore 2:8,18 3:24 4:6,16 11:14,19,20
increased 9:21	Job 1:25	light 12:5	5:19 	13:21,22 14:2,3,13
i		light 13:5		more 9:22

Index: much..rate

much 12:1	occupation 12:17	12:23	place 3:5	10:8,16 15:22
Murphy 14:4	October 1:18	oppose 13:14	plan 6:20 8:4 9:10,11	providers 9:19
Murray 2:17 4:1 14:5,8,15	3:1 10:25	outside 13:13	position 5:15	provides 15:9
N	offer 9:20 10:5	over 11:10	preliminary	provision
	offered 13:13	Р	4:3	15:19
name 3:10 5:7,10 12:16 14:14,15	offering 9:10, 11	p.m. 1:19 3:1	presented 14:18	public 1:3,21 2:5 3:21 9:17 10:8,21
name's 12:18	offerings	part 8:20,21	presiding 3:11	12:12,19,22 13:9,12 15:8
need 4:4	7:14,24 8:12, 23	participate 1:12 3:8 5:25	prior 13:6	Q
needs 8:7	Office 2:5,8 3:20,25 4:1,6 10:21 14:3,9,	7:15 9:1 14:23	proceeding 5:13	qualify 15:1
None 4:5,6,7	16,25 15:2,6, 23,24	participation 9:16	proceedings 7:8	quality 15:12
notice 15:22	officer 3:3,11 4:2,8,12,17,	parties 4:13	proposed	question 8:9, 10,15,21 9:6
noticed 3:5	20 8:5,10,15 9:4,9 11:12,	party 15:2	7:14,24 8:4, 12,23	questions
0	15,19,21,25 12:6,9 13:19, 21,23 14:2,5	payment 15:14	proposing 7:24 8:13,24	10:11,15 11:17,20 13:18,19,20,
objection 4:14,15,16 11:12,13,14	one 6:20 8:6 9:12 15:20	petition 1:9 2:23 3:6 5:25 6:3,5,7,11,15,	protection 15:12	22 R
Obviously 9:18	only 8:20	18,25 7:4 11:8,10	provide 5:18, 22 7:3,13	rate 7:14,24 8:12,23 9:10
	opportunity	picture 9:13		

Index: ready..text

ready 9:7	requirement 15:1,19	second 8:6	spell 5:7,10	Т
reasonable 13:9 15:25	requirements 15:12	service 1:3, 13,21 3:8 6:1 7:15 8:1 9:1,	state 5:7 7:25 9:1,11 12:16 14:14 15:11,	table 3:22
receive 10:2 15:10	responses	16 15:2,11	14	take 3:12
Received 2:22	10:17 rest 6:23	services 2:8 4:1 5:19,22 9:22 10:3,22	stipulation 10:20 11:1,5 13:2,8 14:24	technical 12:19
record 3:4 5:8,10 12:17	result 15:25	14:10,16 15:10 settlement	15:3,6,17,21, 25 strike 6:9	telecommunic ations 1:11 3:7
regard 10:11	review 6:6 12:23 13:2	10:20 11:2,5 13:2,8	subject 15:15	telephone 2:2,13 4:14
regarding 15:19	reviewed 6:9 11:1 14:17,20	sheet 15:9	submitted 6:4,5 7:8	telephonically 3:17
regulatory 15:15	Robert 2:8 3:24	should 6:21 sic 14:4	support 7:4 9:22 11:9	terms 11:4 13:8 15:21
remainder 6:24	room 3:23	signing 15:5	supported 5:19	testified 5:4 12:13 14:11
remains 6:23	RPR 1:24	sir 4:19 5:20 7:12 10:10	supportive 10:3	testifying
reporter 1:24 8:2,7,8,11,18, 20 9:3,7,24		sit 10:17	swear 4:12,18	4:14 testimony
10:4	Salt 1:23 2:6, 9	sorry 8:5,10, 18,19 9:24,25	12:6 14:5,6 sworn 5:3	2:23 7:4,7,11, 13,19 8:7 10:8,12,16
representing 3:21,25	same 6:23 10:17	South 1:22 2:6,9	12:4,12 14:4, 10	11:9 12:23 13:5 14:18
required 15:6	says 6:19	specific 15:8		text 9:12

Index: time..written

			timewritten
Utah 1:3,12, 21.23 2:5.6.8.	wireless 1:7,9 2:2 3:6.15.17		
9 3:8,20,21 5:19,22 6:1	5:2,13 9:11 15:1,11,16		
7:16,25 9:1, 11,16,17,20	witness 2:12		
10:9,20,21 15:1,8	4:9,19 5:2 11:11 12:8,11 14:7,9		
Utilities 2:5 3:22 10:21	·		
	11:22,23 13:24,25		
utility 12:18 14:15	written 2:23		
V	7:3,13,18 10:7,12,16 11:9		
various 15:7			
verify 6:6			
via 2:2,13			
w			
Waakar 2:2			
3:16			
weeks 10:25			
will 9:21 15:10,11,22			
	21,23 2:5,6,8, 9 3:8,20,21 5:19,22 6:1 7:16,25 9:1, 11,16,17,20 10:9,20,21 15:1,8 Utilities 2:5 3:22 10:21 12:12,20,22 utility 12:18 14:15 V various 15:7 verify 6:6 via 2:2,13 W Wacker 2:3 Warren 2:2 3:16 weeks 10:25 will 9:21	21,23 2:5,6,8, 9 3:8,20,21 5:19,22 6:1 7:16,25 9:1, 11,16,17,20 10:9,20,21 15:1,8	21,23 2:5,6,8, 9 3:8,20,21 5:19,22 6:1 7:16,25 9:1, 11,16,17,20 10:9,20,21 15:1,8 Witness 2:12 4:9,19 5:2 11:11 12:8,11 14:7,9 Utilities 2:5 3:22 10:21 12:12,20,22 witnesses 11:22,23 13:24,25 written 2:23 7:3,13,18 10:7,12,16 11:9 various 15:7 verify 6:6 via 2:2,13