



State of Utah  
Department of Commerce  
Division of Public Utilities

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*Executive Director*

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*Director, 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  
Ron Slusher, Utility Technical Consultant

**Date:** October 16, 2018

**Re:** In the Matter of the Application of Vesta Solutions, Inc. for Certificate of Public Convenience and Necessity to Provide Telecommunications Services In the State of Utah, Docket No.18-2607-01.

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**RECOMMENDATION (Approve):**

The Division of Public Utilities (“Division”) has reviewed the technical, managerial, and financial abilities of the Vesta Solutions, Inc. and has found that they have provided the necessary information to fulfill the requirements as stated in the existing Public Service Commission (“Commission”) rules. The public interest will be promoted by the Commission granting Vesta Solutions, Inc. a Certificate of Public Convenience and Necessity (“CPCN”) as under the terms requested by Vesta Solutions, Inc.

The Division also recommends that the \$100,000 bond be waived on the basis that the Applicant will not require customer deposits or prepayments of any kind.

The Division expects that based on history, a filing of this type and with the information submitted by the company will generate no objections or opposition to this recommendation. Therefore, the Division requests that this docket be adjudicated informally in accordance with R746-110-1.

**EXPLANATION:**

On or about September 19, 2018, Vesta Solutions, Inc. (“Vesta or Applicant”) filed an application for a CPCN. The Division reviewed the application and found the following:

Vesta Solutions, Inc. is a registered foreign corporation within the State of Utah; with its corporate headquarters located at 42505 Rio Nedo, P.O. Box 9007, Temecula, CA 92590. Vesta is a subsidiary of Motorola Solutions, Inc.

Vesta seeks statewide authority to serve and work with potential Public Safety Answering Points, VoIP providers, Incumbent Local Exchange Carriers (“ILEC”), wireless providers, Competitive Local Exchange carriers, and/or other local 9-1-1 authorities. The Company plans to serve Public Safety Answering Points who seek to transition from their existing legacy network to an NG9-1-1 network or who seek network components in connection with their 9-1-1 call handling systems.

Applicant does not intend to provide local access line (dial tone) services. As such, Applicant will not be providing access to local exchange, toll, operator services, directory assistance, and directory listings.

Applicant does not currently own facilities or property in the State of Utah, but will acquire or construct facilities in the state as necessary in order to provide its services. To facilitate deployment of services, Applicant intends to obtain interconnection agreements and/or other agreements with competitive carriers or incumbent local exchange carriers.

The Applicant intends to commence negotiations with ILEC’s for interconnection/commercial agreement immediately upon receiving approval from the Commission.

Summaries of professional experience and education of its managerial personnel demonstrate that the Applicant has considerable experience in the telecommunications industry.

According to financial statements attested to be accurate, objective and with integrity by Gregory Q. Brown, Chairman and Chief Executive Officer, Motorola Solutions, Inc. the Applicant has a positive net worth and has ample working capital.

Applicant does not plan to collect customer deposits or offer any local access line (dial tone) services in the State of Utah. Accordingly, Applicant hereby respectfully requests a waiver of this bond requirement.

The Applicant is currently authorized to provide local exchange telecommunications services in California, Florida, Maryland, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Texas, and Virginia.

The Applicant does not provide dial tone services and because of this fact, claims that it has never had any complaints nor has any investigation been undertaken against it involving unauthorized switching (slamming) or any other illegal activities.

Applicant maintains that the issuance of a CPCN is in the public interest. Applicant seeks to secure a CPCN primarily to offer 9-1-1 emergency services to government and quasi-government Public Safety Answering Points throughout Utah. Issuance of a CPCN will accelerate the development and deployment of Next Generation 911 services and promote more robust public safety offerings that will benefit and protect Utah residents.

cc: Wesley K. Wright, Counsel for Vesta Solutions, Inc. Keller and Heckman LLP  
Justin Jetter, Assistant Attorney General, State of Utah  
Office of Consumer Services, State of Utah