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Counsel for Commnet Rural America, LLC

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the matter of the Application of Commnet Rural America, LLC for a Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Local Exchange Telecommunications Service Within the State of Utah	Docket No. 19-2613-01
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REPLY COMMENTS OF COMMNET RURAL AMERICA, LLC

Commnet Rural America, LLC (“Commnet”), through its undersigned counsel, hereby submits the following Reply comments in support of its Application in this docket. As set forth in more detail below, Commnet does not oppose the inclusion of the limiting language proposed by Utah Rural Telecom Association (“URTA”) in its Comments filed July 17, 2019 in this docket.

Commnet’s Application seeks a certificate of public convenience and necessity (“CPCN”) that would allow Commnet to provide resold and facilities-based local exchange telecommunications service within the State of Utah. As set forth in the Application, Commnet seeks to provide non-switched dedicated point-to-point transport services to other telecommunications carriers and business customers. Commnet will provide its point-to-point

transport service through a combination of deploying its own network and facilities and using services leased from a variety of existing carriers and other suppliers. Commnet seeks a CPCN that would allow it to provide these services.

In response to the Application, the Division of Public Utilities (“Division”) filed comments on June 25, 2019 stating that Commnet had provided the necessary information to qualify for the issuance of the requested CPCN, and that issuance of the CPCN was in the public interest. The Division also recommended that the bond amount of \$100,000 be waived on the basis that Commnet would not require customer deposits or prepayments of any kind. The Division further recommended that this docket be adjudicated informally.

On July 17, 2019, URTA filed comments indicating that it does not oppose the issuance of the CPCN to Commnet, so long as the CPCN contains certain limiting language. Specifically, URTA proposed that any order granting the CPCN contain the following language: “Applicant may not operate in any area with fewer than 5,000 access lines that is served by an incumbent local exchange carrier that has fewer than 30,000 total access lines.” URTA indicated that if Commnet were willing to accept this limitation in any order granting the CPCN, URTA did not oppose the Application and did not object to this Commission adjudicating this matter informally.

Since URTA filed its comments, Commnet and URTA have had several conversations in an effort to obtain clarification about the language that URTA had proposed be included.

On September 4, 2019, this Commission issued a Notice indicating that it would take no further action on the Application unless and until Commnet filed a request that the PSC grant the Application and offered its position on URTA’s proposed limitation.

Commnet hereby responds to the Commission's Notice by requesting that the Commission issue an order granting the Application and indicating that Commnet does not object to the inclusion of the limitation identified in URTA's comments.

DATED this 31st day of October, 2019.

Respectfully submitted,



By:

Phillip J. Russell
HATCH, JAMES & DODGE, P.C.

Counsel for Commnet Rural America, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by email this 31st day of October, 2019, upon the following:

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/s/ Phillip J. Russell _____