



State of Utah

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Governor

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Lieutenant Governor

Public Service Commission

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Commissioner

RON ALLEN
Commissioner

July 6, 2021

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Re: Docket No. 21-2461-01, *Notification of the Proposed Indirect Transfer of Control of Veracity Networks, LLC to FirstDigital Communications, LLC*

All:

The Public Service Commission (PSC) has reviewed the joint notification of Broadweave Networks, Inc., Veracity Communications, Inc., and FirstDigital Communications, LLC (collectively the “Parties”) of the proposed indirect transfer of control filed June 14, 2021 (“Notice”). The PSC has also reviewed the Division of Public Utilities’ (DPU) comments, filed July 1, 2021, recommending the PSC acknowledge the Notice (“Comments”).

The Notice describes the Parties, explains the proposed indirect transfer of control, and provides information regarding why the Parties believe the proposed transfer is in the public interest. The Notice states that approval of the indirect transfer of control is not required, and that only a notice filed before the transfer occurs is required.¹ The Comments do not address whether PSC approval of the transaction is required but nevertheless recommend acknowledgement of the Notice.

¹ The Notice asserts the Parties need only submit notice of the transaction before its completion consistent with Utah Code Ann. § 54-8b-3.4(1)(b).

Acknowledgment Letter from the PSC

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No party has identified a statutory or other legal requirement for the PSC to approve the noticed indirect transfer of control, and no party has requested a declaratory ruling on the issue pursuant to Utah Admin. Code R746-101-1, *et seq.* Accordingly, the PSC acknowledges the filing of the Notice and gives notice it will take no further action in this docket unless a party files a request for action and explains the basis on which the PSC may or should act.

Sincerely,

/s/ Gary L. Widerburg

PSC Secretary

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