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State of Utah

Department of Commerce Division of Public Utilities

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Action Request Response

To: Public Service Commission of Utah

From: Utah Division of Public Utilities

Chris Parker, Director

Artie Powell, Manager

Brenda Salter, Utility Technical Consultant Supervisor

Ron Slusher, Utility Technical Consultant

Date: October 26, 2021

Re: **Docket No. 21-2623-01**, In the Matter of the Notification of Proposed Changes in Ownership of Arcadian Infracom 1, LLC.

Recommendation (Acknowledge)

The Division of Public Utilities (“Division”) has reviewed the notification of the transfer of control of Arcadian Infracom 1, LLC (“Arcadian”) and 730 Fiber, LLC (“730 Fiber”) (together the “Applicants”). The public interest will be promoted by the Public Service Commission (“Commission”) acknowledging this change to ownership. As a result of the changes, the company should be in a better position to provide expanded and advanced telecommunications services in the State of Utah.

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

Discussion

On or about October 11, 2021, Arcadian and 730 Fiber notified the Commission of a transaction, which will result in changes to the current ownership of Arcadian.

Arcadian is a Delaware corporation headquartered at 4579 Laclede Avenue, #341, St. Louis, MO 63108. Arcadian is authorized to provide public telecommunications services in the State of Utah by the Commission on November 19, 2020, in Docket No. 20-2623-01. Arcadian is a wholly owned subsidiary of Arcadian Infracom, Inc.

Arcadian and 730 Fiber have entered into an agreement in order to raise funds to finance certain network infrastructures. Upon completion of the transaction, 730 Fiber will obtain direct equity interest in Arcadian. Arcadian Infracom, Inc. will continue to serve as the sole manager of Arcadian, with full responsibility for management of the day-to-day operations of Arcadian.

The Applicants submit that the transaction described herein will serve the public interest. That the change in ownership will not involve any assignments of assets or customers of Arcadian. The Applicants further state that, Arcadian will be in a better position to fund the expansion of the facilities and services the Commission previously authorized when it approved Arcadian's Certificate of Public Convenience and Necessity ("CPCN").

Conclusion

The Division has reviewed the notice filed by the Applicants and recommends the Commission acknowledge this notice.

Cc: Brandon Porter, Counsel for Arcadian Infracom 1, LLC
Justin Jetter, Assistant Attorney General, State of Utah
Office of Consumer Services, State of Utah