

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of Revisions to NAVAJO
COMMUNICATIONS COMPANY's General
Exchange Tariff, Re: The Addition of
Clarification Language on the Application of
Voice Grade Circuits

In the Matter of Revisions to CITIZENS
TELECOMMUNICATIONS COMPANY OF
UTAH's General Exchange Tariff, Re: The
Addition of Clarification Language on the
Application of Voice Grade Circuits

DOCKET NOS.

00-050-T01 & 00-041-T02

REPORT AND ORDER

ISSUED: May 8, 2000

SYNOPSIS

The proposed revisions not complying with Commission policy regarding the adequacy of four-wire circuits for high-speed data transmission, the Commission rejected the proposed tariff revisions.

By The Commission:

PROCEDURAL HISTORY

On March 3, 2000, Navajo Communications Company (NCC) and Citizens Telecommunications Company of Utah (CTC) submitted proposed tariff revisions delineating two- and four-wire circuits as voice-grade only. The matter was referred to the Division of Public Utilities, Utah Department of Commerce (DPU), for review and recommendation, which filed its memorandum recommending rejection of the proposal on April 7, 2000. The Administrative Law Judge, having been fully advised in the matter, now enters the following Report, containing proposed findings of fact, conclusions of law, and the Order based thereon.

FINDINGS OF FACT

DPU asserts that four-wire circuits are designed to support high-speed data transmission and hence the proposed tariffs are seriously misleading. We so find.

DISCUSSION

Since the proposed tariffs contravene industry standards and Commission policy, approval of the tariffs is not in the public interest.

CONCLUSIONS OF LAW

The tariffs should be rejected.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

- First Revised Sheet No. 5, to Section 2, Navajo Communications Company's PSC Utah General Exchange Tariff, be, and it is, rejected.
- First Revised Sheet Nos. 1 & 19, to Schedule AC, Citizens Telecommunications Company of Utah's PSC Utah General Exchange Tariff, be and it is, rejected.
- Any person aggrieved by this Order may petition the Commission for review within 20 days of the date of this Order. Failure so to do will forfeit the right to appeal to the Utah Supreme Court.

DATED at Salt Lake City, Utah, this 8th day of May, 2000.

/s/ A. Robert Thurman
Administrative Law Judge

Approved and Confirmed this 8th day of May, 2000, as the Report and Order of the Public Service Commission of Utah.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Clark D. Jones, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary