

NOTICE OF
PROPOSED RULE AMENDMENT

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301.
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Division of Administrative Rules.

Rule Information

DAR file no: _____ Date filed: _____
 State Admin Rule Filing Key: 156271
 Utah Admin. Code ref. (R no.): R746-360

Agency Information

1. Agency: PUBLIC SERVICE COMMISSION - Administration
 Room no.: _____
 Building: HEBER M WELLS BLDG
 Street address 1: 160 E 300 S
 Street address 2: _____
 City, state, zip: SALT LAKE CITY UT 84111-2316
 Mailing address 1: PO BOX 45585
 Mailing address 2: _____
 City, state, zip: SALT LAKE CITY UT 84111-5585

Contact person(s):

Name:	Phone:	Fax:	E-mail:	Remove:
Sheri Bintz	801-530-6714	801-530-6796	sbintz@utah.gov	<input type="checkbox"/>
Jordan White	801-530-6712		jordanwhite@utah.gov	<input type="checkbox"/>

(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Title

2. Title of rule or section (catchline):
 Universal Public Telecommunications Service Support Fund

Notice Type

3. Type of notice: Amendment

Rule Purpose

4. Purpose of the rule or reason for the change:

The purpose of this proposed rule change is to clarify that the Public Service Commission (“Commission”) will not authorize reimbursement of costs from the Universal Public Telecommunications Service Support Fund (“USF”) whenever the Commission determines that such reimbursement would constitute an inefficient use of the funds or a use inconsistent with the

public interest.

Response Information

5. This change is a response to comments by the Administrative Rules Review Committee.

No Yes

Rule Summary

6. Summary of the rule or change:

The purpose of the change is to clearly reflect in the rule the Commission's existing practice, which is to protect the public interest and ensure the efficient use of USF funds by denying recovery of costs whenever the Commission finds reimbursement would result in an inefficient use of the funds or otherwise be contrary to the public interest.

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected: No Yes

This rule concerns USF funds, which are not a component of the state budget.

B) Local government:

Affected: No Yes

The rule change should not result in any anticipated costs or savings to local governments.

C) Small businesses:

Affected: No Yes

("small business" means a business employing fewer than 50 persons)

The rule change should not result in any anticipated costs or savings to small business. Small businesses, like the general public, have an interest in efficient use of USF funds because, to the extent they utilize telephone service, they are subject to the surcharge that funds the USF.

However, this rule change merely clarifies the Commission's long-time practice and, therefore, should not impact small businesses.

D) Persons other than small businesses, businesses, or local government entities:

Affected: No Yes

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)

The rule change should not result in any anticipated costs or savings to the public. Individuals who utilize telephone service have an interest in efficient use of USF funds because they are subject to the surcharge that funds the USF. However, this rule change merely clarifies the Commission's long-time practice and, therefore, should not impact them.

Compliance Cost Information

8. Compliance costs for affected persons:

The rule will not generate compliance costs for any person or entity.

Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

The proposed rule change underscores the Commission's existing practice of authorizing distributions from the USF only when it finds the distribution constitutes an efficient use of USF

funds and to be consistent with the public interest. The change should not result in a fiscal impact on business.

B) Name and title of department head commenting on the fiscal impacts:

David Clark Commissioner, Thad LeVar Commissioner

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :

54-3-1, 54-4-1, 54-7-25, 54-7-26

54-8b-12

54-8b-15

Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank) :

Official Title of Materials Incorporated (from title page)

Publisher

Date Issued (mm/dd/yyyy)

Issue, or version (including partial dates)

ISBN Number

ISSN Number

Cost of Incorporated Reference

Adds, updates, removes-- SELECT ONE --

Comments

12. The public may submit written or oral comments to the agency identified in box 1.(The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) :

07/01/2015

B) A public hearing (optional) will be held:

On (mm/dd/yyyy): At (hh:mm
AM/PM):

At (place):

Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy):

07/08/2015

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After a minimum of seven days following the date designated in Box 12(A) above,

the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Indexing Information

14. Indexing information - keywords (maximum of four, one term per field, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):
public utilities, universal service fund, telecommunications

File Information

15. Attach an RTF document containing the text of this rule change (filename):
No document is associated with this filing.

To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

Agency Authorization

Agency head or designee, and Jordan White
title: Legal Counsel

Date
(mm/dd/yyyy):