

http://erules.rules.utah.gov/erules/secure/ruleFilingEdit.action?ruleId=1...
NOTICE OF
PROPOSED RULE REPEAL

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301 and Subsection 53C-1-201(3)(c).
- 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 Office of Administrative Rules.

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:
Sheri Bintz	801-530-6714	801-530-6796	sbintz@utah.gov
Melanie Reif	801-530-6709	801-530-6796	mreif@utah.gov

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

Rule Information

DAR file no: 42426 Date filed: 01/02/2018 09:35 AM
State Admin Rule Filing Key: 159750
Utah Admin. Code ref. (R no.): R 746 - 360 -

Title

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

Notice Type

3. Type of notice: Repeal

Rule Purpose

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

During the 2017 General Session, the Utah Legislature enacted S.B. 130, Universal Service Fund Amendments. That legislation made numerous changes to the laws governing the Utah Universal Service Fund ("UUSF"), including the laws governing the Lifeline program. This rule is being repealed in conjunction with a separate filing enacting R746-8, which enacts the necessary UUSF provisions consistent with S.B. 130.

Response Information

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

No

Rule Summary

6. Summary of the rule or change:

R746-360 is repealed in its entirety, and the rules governing the UUSF program are set forth in the new R746-8 that is filed concurrently with this repeal

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected: No

None. Repealing R746-360 does not create any costs or savings to the state. Costs or savings associated with the reenactment are discussed in the companion rule filing enacting R746-8.

B) Local government:

Affected: No

None. Repealing R746-360 does not have any impact on local governments. Costs or savings associated with the reenactment are discussed in the companion rule filing enacting R746-8.

C) Small businesses:

Affected: No

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

None. Repealing R746-360 does not have any impact on small businesses. Costs or savings associated with the reenactment are discussed in the companion rule filing enacting R746-8.

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

Affected: No

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

None. Repealing R746-360 does not have any impact on any affected persons. Costs or savings associated with the reenactment are discussed in the companion rule filing enacting R746-8.

Compliance Cost Information

8. Compliance costs for affected persons:

None. Repealing R746-360 does not have any impact on any affected persons. Costs or savings associated with the reenactment are discussed in the companion rule filing enacting R746-8.

Department Head Comments

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

A new rule governing the UUSF program, R746-8, will be made effective at the same time R746-360 is repealed. Any fiscal impact of the change is discussed in the rule filing enacting R746-8.

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

Thad LeVar, Commission Chair

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

54-8b-10

54-8b-15

54-4-1

Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by reference (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:
Issue, or version:
ISBN Number:
ISSN Number:
Cost of Incorporated Reference:
Adds, updates, removes:

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) :

02/14/2018

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): 02/21/2018

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 Office 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, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):

- affordable base rate
- public utilities
- telecommunications
- universal service fund

File Information

15. Attach an RTF document containing the text of this rule change (filename):

There is a document associated with this rule 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 title:

Michael Hammer
Administrative Law Judge

Date (mm/dd/yyyy): 01/02/2018