

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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Utah Administrative Code R746-8,  
Proposing to Repeal R746-360, R746-341,  
and R746-343

DOCKET NO. 17-R008-01  
NOTICE OF EFFECTIVE DATE AND  
DECLARATORY RULING

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ISSUED: February 21, 2018

On this date, the Public Service Commission (“PSC”) has made effective the rule proposed in Notice of Proposed Rule, DAR File No. 42424, which was published in the January 15, 2018 (Vol. 2018, No. 2) Utah State Bulletin (the “Rule”).

CenturyLink filed comments on the proposed Rule on February 14, 2018, “seek[ing] clarification that voice only landline based Lifeline customers will continue to receive Utah Lifeline support until such time when the federal Lifeline program no longer provides Lifeline support to voice only landline based Lifeline customers.” CenturyLink notes § R746-8-403 of the proposed Rule specifically mentions broadband and wireless Lifeline support, “but there is no mention of voice only landline based Lifeline customers.”

The PSC notes proposed R746-8-403(1) provides “an ETC may receive an ongoing distribution through ongoing participation in a Commission-approved Lifeline program . . . .” It was not the PSC’s intention in proposing the Rule to exclude landline based support, and the PSC concludes the text does not expressly suggest otherwise. However, the PSC recognizes the parameters later enumerated specifically for broadband and wireless customers in proposed R746-8-403(2) may create confusion on the issue.

Desiring to clarify this ambiguity, the PSC issues *sua sponte* this declaratory ruling that landline based customers remain eligible for Lifeline support under proposed R746-8-403, which

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is made effective on this date. The PSC intends to initiate a process to amend the Rules to clarify this ambiguity in the text and to publish the proposed amendment in the Utah State Bulletin in March 2018.

DATED at Salt Lake City, Utah, February 21, 2018.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Attest:

/s/ Gary L. Widerburg  
PSC Secretary  
DW#300254

CERTIFICATE OF SERVICE

I CERTIFY that on February 21, 2018, a true and correct copy of the foregoing was served upon the following as indicated below:

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