

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of Utah Administrative Code
R746-360-6, Eligibility for Fund
Distributions

DOCKET NO. 17-R360-02

ORDER ALLOWING TEMPORARY
DEVIATION FROM SCHEDULED
INCREASE IN AFFORDABLE BASE
RATE

ISSUED: June 15, 2017

As currently promulgated, Utah Admin. Code R746-360-6(B)(1)(b) increases the Utah affordable base rate for local voice service to \$20 per line, effective July 1, 2017. This increase was placed in rule to reflect a parallel increase that was scheduled to go into effect under regulations administered by the Federal Communications Commission (FCC). However, on May 18, 2017, the FCC took action to stop scheduled increases, maintaining the federal rate floor at \$18 per line. (See FCC 17-61.)

Utah Admin. Code R746-360-6 has traditionally set the Utah rate floor for local voice service to match the FCC rate floor. To continue this practice in light of the FCC's recent action, the Public Service Commission of Utah (PSC) has filed an amendment to modify R746-360-6(B)(1)(b) and maintain the current Utah affordable base rate at \$18 per line.

On May 24, 2017, the PSC issued a notice of its intent to amend the affordable base rate rule. The notice established a comment deadline of Tuesday, June 13, 2017 and a reply comment deadline of Tuesday, June 20, 2017. No initial comments were submitted. Therefore, the PSC does not anticipate reply comments and finds it appropriate to vacate the associated deadline.

The proposed amendment was published in the June 15, 2017 edition of the Utah State Bulletin and will be open for public comment through July 17, 2017. The first possible effective

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date is July 25, 2017. In these circumstances, the PSC considers it appropriate to allow affected telecommunications corporations to deviate from R746-360-6(B)(1)(b).

ORDER

On its own initiative, the Public Service Commission of Utah grants to all affected telecommunications corporations leave to deviate from Utah Admin. Code R746-360-6(B)(1)(b) so as to continue charging an affordable base rate of \$18 per line from July 1, 2017 until further notice.

DATED at Salt Lake City, Utah, June 15, 2017.

/s/ Jennie T. Jonsson
Administrative Law Judge

Approved and confirmed June 15, 2017 as the Order of the Public Service Commission of Utah.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Attest:

/s/ Gary L. Widerburg
Commission Secretary
DW#294662

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Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this order by filing a request for review or rehearing with the PSC within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the PSC fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the PSC's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on June 15, 2017, a true and correct copy of the foregoing was served upon the following as indicated below:

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