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# UTAH DEPARTMENT OF COMMERCE

## Division of Public Utilities

MARGARET W. BUSSE  
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Division Director

## Comments

**To:** Public Service Commission of Utah

**From:** Utah Division of Public Utilities

Chris Parker, Director  
Brenda Salter, Assistant Director  
Doug Wheelwright, Utility Technical Consultant Supervisor  
Casey J. Coleman, Utility Technical Consultant  
Tyler McIntosh, Utility Analyst

**Date:** March 23, 2023

**Re:** **Docket No. 23-R347-01**, Administration Code R-746-347, Extended Area Service (EAS)

## Recommendation (Acknowledge with Recommendation)

The Division of Public Utilities (Division) requests that the Public Service Commission of Utah (Commission) acknowledge the changes that have occurred in the industry since this rule was established and recommends opening a docket to evaluate the necessary changes or corrections to the rule.

## Discussion

The Division of Public Utilities (Division) recently received a notice and request for comments from the Commission on February 21, 2023, regarding the Extended Area Service (EAS) in the state of Utah. Per Utah Code Ann. 63G-3-305 each rule is to be reviewed on a 5-year basis. Rule 746-347 ("Rule 347") was last amended in 2003. The Commission has completed the 5-year review of the Extended Area Service (EAS) and is seeking comments from interested parties.

Division of Public Utilities

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The Division has reached out to rural areas within the state where EAS is applicable. Based on discussions with telecom providers and internal discussions, the Division believes that a change to the rule is needed. The Division does not feel that Rule 347 should be repealed but does feel that the rule needs to be updated to match changes that have occurred in the telecom industry over the last 20 years. Therefore, the Division is requesting a docket and rulemaking proceeding to determine changes or corrections to the current rule. A rule-making proceeding will allow all parties involved to comment and discuss the necessary changes.

## **Conclusion**

The Division requests that the Commission acknowledge the changes that have occurred in the telecom industry and open a docket to address changes to Utah Code Ann. 63G-3-305 for Rule 746-347. The current rule has not been amended since 2003.

cc: Gary L. Widerburg, PSC Secretary