



## Public Service Commission

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## State of Utah

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*Lieutenant Governor*

March 10, 2020

The Honorable Sonny Perdue  
Secretary of Agriculture  
U.S. Department of Agriculture  
1400 Jefferson Drive, S.W.  
Washington D.C. 20250-0001

Dear Secretary Perdue:

The Public Service Commission of Utah (“UPSC”) received a request from Emery Telcom and its subsidiaries (“Emery”) to certify that no other telecommunications carrier, municipality, business organization, or individual is receiving disbursements from the Utah Universal Service Fund (“UUSF”) inside Emery’s proposed funding service areas associated with Emery’s application for the 2020 USDA Round 2 ReConnect Program broadband projects.

We note, with respect to broadband, the UUSF is restricted to funding only local exchange carriers that are both providers of last resort and also provide wholesale broadband infrastructure. The UUSF is also the funding source for Utah’s Lifeline program, which nevertheless functions as a separate program.

Along with its request for certification, Emery also submitted maps to the UPSC showing the location of Emery’s proposed projects. Both of the projects Emery proposes<sup>1</sup> are completely contained within the Utah service territory of Citizens Telecommunications Company of Utah (“Frontier”) — d/b/a Frontier Communications of Utah. The foregoing is based upon the UPSC’s inspection of maps of the proposed project areas supplied by Emery to the UPSC; the UPSC makes no representations regarding the accuracy of Emery’s maps.

Currently, Frontier does not receive any UUSF broadband support, nor has it received any UUSF broadband support for the past five years. Emery currently receives UUSF broadband support, and this support is restricted to offsetting costs it has already incurred within its own Utah service territory.

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<sup>1</sup> First, the Grand County projects include areas in and around Thompson Springs, Dewey, and locations served off of Moab’s exchange fiber plant (Arches National Park, New Developments in Moab and Spanish Valley and Pack Creek). Second, the San Juan County projects include areas in and around Monticello from last year’s USDA Reconnect Round 1 award. In addition, the project includes outlying areas of Blanding, Bluff town, and Hole in the Rock.

Both Emery and Frontier receive Utah Lifeline payments on behalf of their qualifying customers.

The UPSC certifies no UUSF broadband support currently exists for the specific geographic locations constituting Emery's 2020 USDA Round 2 ReConnect proposed project areas.

The UPSC confirms it knows of no state statute, rule, or order that prohibits Emery from participating in the 2020 USDA Round 2 ReConnect Program.

Sincerely,

/s/ Gary L. Widerburg

UPSC Secretary

DW#312478