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UTAH DEPARTMENT OF COMMERCE

Division of Public Utilities

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Action Request Response

To: Public Service Commission of Utah

From: Utah Division of Public Utilities

Chris Parker, Director
Brenda Salter, Assistant Director
Abdinasir Abdulle, Utility Technical Consultant Supervisor
Casey J. Coleman, Utility Technical Consultant
Jonathan Lee, Utility Analyst

Date: September 11, 2023

Re: **Docket No. 23-999-12, ELIGIBLE TELECOMMUNICATIONS CARRIERS' CERTIFICATION INFORMATION** Annual 47 CFR § 54.314 Certification of Eligible Telecommunications Carriers to the Federal Communications Commission and the Universal Service Administrative Company

Recommendation (Approve)

Consistent with the Division of Public Utilities' (Division) prior year recommendation, the Division recommends the Public Service Commission of Utah (Commission) support Utah's rural incumbent local exchange carriers' (Companies) and other Eligible Telecommunications Carriers' (ETC) request for certification of eligibility to receive federal high-cost support by submitting a timely certification letter to the Federal Communication Commission (FCC) and Universal Service Administration Company (USAC).

Issue

Pursuant to 47 C.F.R § 54.314, the Commission is required to certify that all rural carriers within its jurisdiction will use Federal Universal Service Funds (USF) "only for the provision, maintenance, and upgrading of facilities and services for which the support is intended," as required by 47 U.S.C. 254(e). This certification may be in the form of a letter to the FCC

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regarding the carriers' compliance and is due to the FCC and USAC by October 1, 2023, clearly referencing **WC Docket 10-90**.

Discussion

Certification:

As of July 14, 2023, the Commission has received an electronic copy from the USAC portal of the FCC Form 481 from each of the following companies:

Company Name (Exchange Carrier Study Area Code)

ILEC Companies

Albion Telephone Company, Inc. (509024)
All West Communications, Inc. (502288)
Bear Lake Communications, Inc. (503032)
Beehive Telephone Company, Inc. (502284)
Carbon/Emery Telcom, Inc. (502278)
Central Utah Telephone, Inc. dba CentraCom (502277)
Citizens Telecommunications Company of Utah dba Frontier Communications of Utah (504429)
Direct Communications Cedar Valley, LLC (500758)
Emery Telephone dba Emery Telcom (502278)
Gunnison Telephone Company (502279)
Hanksville Telcom, Inc. (502278)
Manti Telephone Company (502282)
Navajo Communications Company, Inc. dba Frontier Navajo Communications Company (504449)
Qwest Corporation d/b/a/CenturyLink QC (505107)
Skyline Telecom dba CentraCom (502283)
South Central Utah Telephone Association, Inc. (502286)
UBTA-UBET Communications, Inc. dba Strata Networks (502287)
Union Telephone Company, Inc. (512297 – Utah Segment Only)

CETC Companies

American Broadband & Telecommunications Company (509017)
Commnet Four Corners, LLC (509021)
Viasat Carrier Services, Inc. (509022)
E-Fiber Moab, LLC (509025)
E-Fiber San Juan, LLC (509027)

In conducting this investigation, the Division has reviewed the information contained in Form 481 and the attached statements to the form. For the ILEC companies each of their Annual Reports to the Commission was also reviewed.

In reviewing Form 481, emphasis was placed on compliance to the following three requirements:

1. Broadband Services Rate Comparability (Line 1030)

Pursuant to 47 C.F.R § 54.3139(a)(3) the companies outlined in the report that the rates charged for Broadband services are no higher than the most recent applicable benchmark announced by the Wireline Competition Bureau.

2. Voice Services Rate Comparability (Line 1010)

Pursuant to 47 C.F.R. § 54.313(a)(6) and 47 C.F.R. § 54.202(a)(2) companies must indicate its services meet the requirement to provide voice services at rates no more than two standard deviations above the national average urban rate for voice service.

3. Functionality in Emergency Situations (Line 610)

Pursuant to 47 C.F.R. § 54.313(a)(6) and 47 C.F.R. § 54.22(b)(4) as set forth in 47 C.F.R. § 54.202(a)(2) companies must indicate it meets the requirements to remain functional in emergency situations.

Conclusion

The Division recommends the Commission support Utah's incumbent local exchange carriers' and the ETC companies' request for certification of eligibility to receive federal high-cost support by submitting a timely certification letter to the FCC and USAC.

cc: Jenny Prescott, Vice President of Finance, All West Communications, Inc.
Debra Mercer, Counsel, American Broadband and Telecommunications Company
Eddie L. Cox, President, Bear Lake Communications/Central Utah
Telephone/Skyline Telecom
Larry Mason, Senior VP of Regulatory Affairs, Beehive Telephone Company, Inc.

Brock Johansen, CEO, Carbon Emery Telcom/Emery Telcom, Inc./Hanksville
Telecom
Carl E. Erhart, Manager, Government and External Affairs, Citizens and Navajo
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Phillip J. Russell, Counsel, Commnet Four Corners, LLC
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Natalie Gleave, Controller, Gunnison Telephone Company
Dallas Cox, President, Manti Telephone Company
Kenneth Bucan, Qwest Corporations dba CenturyLinkQC
Michael R. East, President/CEO, South Central Utah Telephone Association, Inc.
Bruce H. Todd, CEO/GM UBTA-UBET Communications, Inc. dba STRATA Networks
James H. Woody, Treasurer and CFO, Union Telephone Company
Marsha A. Pokorny, Managing Consultant, Viasat Carrier Services, Inc.
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