

- BEFORE THE UNDERGROUND FACILITIES DAMAGE DISPUTE BOARD -

Request of Gfiber for Arbitration	<u>DOCKET NO. 26-999-16</u> <u>SECOND NOTICE REGARDING REQUEST</u> <u>FOR ARBITRATION</u>
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ISSUED: August 28, 2026

On July 14, 2026, the Public Service Commission (PSC) received a request for arbitration from Gfiber ("Arbitration Request"), relating to damage to Gfiber's large count cable allegedly caused by Underground Cable & Conduit Construction ("UCCC"). On July 15, 2026, the Underground Facilities Damage Dispute Board ("Board") issued a Notice Regarding Request for Arbitration ("Notice"), requesting interested parties to submit, by August 14, 2026, any additional information they believe pertinent to the dispute and a statement indicating whether they agree to arbitration before the Board. The Notice also provided a hypertext link to the Utah statute governing this matter.

On August 10, 2026, UCCC emailed the PSC disputing the alleged claim of damage outlined in the Arbitration Request and provided additional materials in support of its position. However, UCCC was silent on whether it agreed to arbitrate this dispute. Accordingly, on August 11, 2026, the PSC, on behalf of the Board, sent UCCC an email requesting UCCC to indicate whether it agreed to arbitrate this dispute. The PSC has received no response from UCCC.

The Board is statutorily authorized to arbitrate disputes only "upon agreement of the disputing parties." Utah Code Ann. § 54-8a-13(5). Because of UCCC's silence on this statutory requirement, there is no agreement of the disputing parties to arbitrate

this dispute. Therefore, the PSC gives notice that it has not forwarded the Arbitration Request to the Board and does not intend to take further action in this matter.

DATED at Salt Lake City, Utah, August 28, 2026.

/s/ Gary L. Widerburg
PSC Secretary
DW#346704

CERTIFICATE OF SERVICE

I CERTIFY that on August 28, 2026, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Email:

Randy Brems (brems@gfiber.com)
Gfiber

Underground Cable & Conduit Construction
(adm@undergroundcableandconduit.com)

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