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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of Uintah Basin Telecommunications Association, Inc., and UBET Telecom, Inc., for an Order of the Commission Approving the Combination, Merger and Consolidation of UBET Telecom, Inc., and Uintah Basin Telecommunications Association, Inc.

RESPONSE TO COMMITTEE OF CONSUMER SERVICES' MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE TESTIMONY AND MOTION FOR RESCHEDULING OF HEARING

Docket No.: 04-053-03

RESPONSE TO COMMITTEE OF CONSUMER SERVICES' MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE TESTIMONY AND MOTION FOR RESCHEDULING OF HEARING

Uintah Basin Telecommunications Association, Inc. ("UBTA") and UBET Telecom, Inc. ("UBET"), by and through their attorneys of record, hereby respond to the Committee of Consumer Services' ("Committee") MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE TESTIMONY AND MOTION FOR RESCHEDULING OF HEARING filed with the Commission on November 3, 2004 (the "Committee's Motions"), in the above-referenced docket. For the reasons cited below, UBTA and UBET oppose, and request that the Commission deny, the Committee's Motions:

1. The dates established by the Commission in its Scheduling Order, Issued October 5, 2004 (the "Scheduling Order"), for the filing of Rebuttal Testimony and the Hearing were agreed to by the parties including the Committee well in advance of the date on which the Scheduling Order was issued. All parties have had more than two-months' notice of the actual dates on which Direct, Rebuttal and Sur-Rebuttal Testimony are due. In fact, the date on

which Sur-Rebuttal was originally due was actually extended by one week by agreement of the parties prior to the date on which the Scheduling Order was issued by the Commission.

2. Whether or not a stipulation is currently being negotiated has no bearing on the dates previously scheduled by the Commission for the filing of testimony or the hearing. It is a common practice that stipulations are negotiated during the course of discovery, pre-filed testimony and up to, and during the, time of hearings on a matter.

3. The dates set in the Scheduling Order for filing Rebuttal Testimony and the Hearing were set as early as possible, based on the Commission's calendar, specifically in order to facilitate the consummation of the merger before the end of the calendar year. As UBTA and UBET explained to the parties, including the Committee, at the time the scheduling in this matters was being discussed, it is imperative to UBTA and UBET, for tax reasons, that the merger, combination and consolidation of UBET and UBTA (the "Consolidation") be consummated prior to year end. Any delay in the scheduling of the hearing compromises the likelihood of consummation prior to year end and, thus, adversely impacts benefits of the Consolidation for the surviving company, UBTA-UBET Communications, Inc., and its members and subscribers.

4. In an effort to accommodate the Committee, however, UBTA and UBET propose that the November 5, 2004, date scheduled for Rebuttal Testimony to be filed by the Division of Public Utilities and the Committee of Consumer Services be extended to November 15, 2004. Sur-rebuttal Testimony to be filed by UBTA and UBET would then be due on November 19, 2004, or would be presented at the Hearings.

For the reason cited above, UBTA and UBET request that the Commission deny the Committee's Motions, however, UBTA and UBET propose that the schedule for Rebuttal Testimony and Sur-Rebuttal Testimony be modified in order to accommodate the Committee's filing of Rebuttal Testimony without rescheduling the date for Hearing.

DATED this 4th day of November, 2004.

BLACKBURN & STOLL, L.C.

Stanley K. Stoll
Attorneys for UBTA and UBET

CERTIFICATE OF DELIVERY

I hereby certify that on this 4th day of November, 2004, I caused to be hand-delivered a true and correct copy of the foregoing **RESPONSE TO COMMITTEE OF CONSUMER SERVICES' MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE TESTIMONY AND MOTION FOR RESCHEDULING OF HEARING** to:

Michael Ginsberg
Assistant Attorney General
Division of Public Utilities

Paul Proctor
Assistant Attorney General
Committee of Consumer Services

Stanley K. Stoll