



State of Utah  
Department of Commerce  
Division of Public Utilities

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May 17, 2007

**TO: PUBLIC SERVICE COMMISSION**

**FROM: DIVISION OF PUBLIC UTILITIES**

Constance B. White, Director  
Laura Scholl, Manager, Telecommunications  
Casey J. Coleman, Technical Consultant

**Re: Motion to Bifurcate Docket No. 07-2476-01**

**RECOMMENDATION: Split Bresnan's CPCN request into two separate Dockets.**

**ISSUES:**

On April 17, 2007 Bresnan Broadband of Utah, LLC ("Bresnan") filed a Motion with the Commission asking the Commission to bifurcate the request for a Certificate of Public Convenience and Necessity (CPCN) into two separate proceedings.

The areas that Bresnan has requested to serve in are Cedar City, Utah and Vernal Utah. Both of those areas are served by different Incumbent Local Exchange Carriers (ILECs), Qwest being the ILEC in Cedar City and UBTA being the ILEC in Vernal, Utah. Because Qwest and UBTA are regulated differently by the Commission and the rules regarding competition are different for each company, the Division supports the Motion by Bresnan to bifurcate these proceedings. The issues in question will be drastically different for each area and the most logical approach would be to treat each request separately.