

From: Michael Ginsberg [mginsberg@utah.gov]
Sent: Thursday, November 06, 2008 5:20 PM
To: Gary Guelker
Cc: Paul Anderson; Patricia Schmid; William Duncan
Subject: Re: In re All American Telephone Co.

Gary

The Division has received your letter proposing to stay any further proceeding and engage in informal discussions to see if the concern of the DPU can be resolved. Currently a Motion to Dismiss is pending before the Commission. Based on conversations with Beehive it is now the Division's understanding that All American is offering conference services and is not offering any other service in the Beehive area. The Division is willing to do the following at this point: we understand that you do not believe the 240 day time period in the statute applies to your request and therefore no waiver is needed, however, in order to ensure that the application does not take effect by operation of law we would like you to make it clear to the Commission that no decision within the 240 day time period is necessary and no decision has to occur under the 240 day statutory time period. We are willing to delay your response to the Motion to a future time but want you to request a scheduling conference with the Commission now so that a schedule can be established and a technical conference can be established which could include Beehive and any other interested party. At that time or once we get a better understanding of what is going on we would be happy to see if our concerns can be met without any additional proceedings. Therefore, if you wish to 1. waive the 240 day requirement and request a scheduling technical conference your response to the Motion can be delayed until rescheduled at that time. The Division believes that this proceeding should be made more formal at this time and intends to request that from the Commission if you do not. .