



State of Utah  
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Division of Public Utilities

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March 28, 2008

**TO:** PUBLIC SERVICE COMMISSION

**FROM:** DIVISION OF PUBLIC UTILITIES  
Philip J. Powlick, Director  
Bill Duncan, Manager, Telecommunications  
Casey J. Coleman, Technical Consultant

**RE:** Rule R746-349-6; Docket No. 08-R349-01

**RECOMMENDATION:**

The Division recommends that the Commission adopt the rule submitted by Level 3 in its petition.

**ISSUES:**

On January 16, 2008 Level 3 submitted a petition with the Commission requesting consideration of changing rule R746-349-6. The change of the rule would exempt certain telecommunications carriers from certain sections of the Utah Code and the Utah Administrative Rules pertaining to transfers of control, stock and security transfers, and asset transfers. These changes would allow for a more streamlined process when these types of transfers occurred.

Over the past months, the Division has worked with Level 3 to compose a rule that meets the goal of streamlining the process that is satisfactory to both the Division and Level 3. The Division feels that adopting this rule will allow a simpler process for future filings while still retaining the option of further investigation if needed by the Division. Because of these benefits the Division recommends that the Commission adopt the rule submitted by Level 3.

Additionally, as a procedural matter, the Division recommends that the Commission close Docket No. 06-2266-01 which was the initial petition submitted by Level 3. Because Docket 08-R349-01 was opened as a result of the petition submitted by Level 3 to adopt the rule for all telecommunications carriers, the Division does not see any additional correspondence happening in Docket 06-2266-01.

cc: William J Evans, Parsons Behle & Latimer  
Michael Ginsberg, Assistant Attorney General