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BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF UTAH

In the Matter of the Utah Rural Telecom Association’s Petition for a Rule to Amend the Definition of Basic Telecommunications Service in Utah Admin. Code R746-360-2 C	Petition for Rule Change Docket No.
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Pursuant to Utah Code Ann. § 63G-3-601 and Utah Admin. Code R15-2-4, the Utah Rural Telecom Association (“URTA”), through undersigned counsel, hereby petitions the Public Service Commission (“Commission”) to engage in rulemaking and adopt the attached proposed rule amending the definition of Basic Telecommunications Service in Utah Admin. Code R746-360-2 C. The subject of the proposed rule is within the Commission’s jurisdiction over utility rates and tariffs under Utah Code Ann. Title 54 and is appropriate to the Commission’s powers.

The rule proposes to add CLASS calling features and voice mail (“Features”) to the definition of Basic Telecommunications Service in Utah Admin. Code R746-360-2 C. The public interest considerations for the proposed change are twofold: to preserve the Universal Public Telecommunications Service Support Fund (“USF” or “Fund”) established in Utah Code Ann. § 54-8b-15; and to enhance public safety by making said Features available as part of basic service.

First, members of URTA are losing landline customers to alternative service providers such as VoIP providers which negatively affects the USF. Without revenue from these

customers, the Fund must cover the unrecovered costs from the lost landlines. Although including Features with basic service without increasing the Affordable Base Rate will result in some lost revenues, these lost revenues will not be as great as the increases from the USF that are required to cover the costs of the lost customer lines. Today customers expect Features to be included with basic telecommunications service. URTA members cannot package Features with basic service because currently Features are tariffed and offered separately. If Features were included as basic service, URTA could more easily meet customers' expectations and retain at least some customers who are dropping landline service to prevent further erosion of the USF. This change, therefore, will benefit everyone who contributes to the USF.

Second, several of the Features enhance public safety at customers' homes and businesses. Call waiting, for example, allows emergency calls to get through when a telephone line is otherwise in use. Caller ID enables customers to determine who is calling or who has called so they can decide whether or not they should answer the telephone or return the call. Having these Features available as basic service is in the public interest as a public safety measure.

Given these considerations, URTA believes the proposed rule is in the public interest and requests that the Commission initiate rulemaking proceedings as soon as practicable, but in no event more than 60 days from the date of this petition.

Respectfully submitted this 11th day of September, 2008.

Callister Nebeker & McCullough

Stephen F. Mecham

R746-360-2. Definitions.

C. Basic Telecommunications Service -- means a local exchange service consisting of access to the public switched network; touch-tone, or its functional equivalent; local flat-rated, unlimited usage, exclusive of extended area service; single-party service with telephone number listed free in directories that are received free; Customer Local Area Signaling Services (CLASS) and voice mail; access to operator services; access to directory assistance, lifeline and telephone relay assistance; access to 911 and E911 emergency services; access to long-distance carriers; access to toll limitation services; and other services as may be determined by the Commission.

Certificate of Mailing

I certify that on September 11, 2008 I emailed a true and correct copy of the foregoing Petition for Rule Change to the following:

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