



State of Utah
Department of Commerce
Division of Public Utilities

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April 23, 2009

TO: PUBLIC SERVICE COMMISSION

FROM: DIVISION OF PUBLIC UTILITIES

Philip J. Powlick, Director
Bill Duncan, Manager, Telecommunications
Casey J. Coleman, Technical Consultant

Re: In the Matter of the Application of Beehive Telecom, Inc., for an Amended Certificate of Public Convenience and Necessity to Provide Local Exchange Services within the State of Utah Docket No. 09-051-02

Recommendation:

Because of the nature of this application and Beehive requesting to serve as a CLEC in rural areas of Utah that have never had CLECs before, the Division recommends the Commission schedule a conference where all interested parties can create a schedule to be followed in this Docket.

Issues:

On April 6, 2009 Beehive Telecom, Incorporated (“Beehive”) filed an application with the Commission requesting an amendment to its Certificate of Public Convenience and Necessity (“CPCN”). The amendment asked for authority to operate as a competitive local provider (“CLEC”) with the ability to provide intrastate interexchange services within and throughout the State of Utah, specifically in all or part of service territories of incumbent local exchange carriers (“ILECs”) with greater than 5,000 access lines that is controlled by ILECs with greater than 30,000 access lines in the State of Utah.

Because there are a variety of exchanges that could fit that classification, and the Division is unsure of the position of each ILEC in response to the request made by Beehive, the Division feels the prudent and efficient way to proceed in this Docket is to schedule a conference to outline a calendar for this docket.

cc: Michael Ginsberg, Assistant Attorney General