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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 to Initiate Rulemaking Proceedings to Amend Utah Admin. Code R746-360-8	Docket No. 09-2424-01 Amended Draft Rule
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At the technical conference held in this proceeding February 22, 2010, the Commission requested that the Utah Rural Telecom Association ("URTA") amend the proposed rule filed in this proceeding to address distributions from the Universal Public Telecommunications Service Support Fund to incumbent telephone corporations that are average schedule companies or are subject to interstate price-cap regulation. The attached draft rule makes the requested changes and URTA now petitions the Commission to schedule an additional technical conference to review the amended rule and ask questions if necessary, or if not, to publish the draft rule for comment in the rulemaking process pursuant to Utah Code Ann. § 63G-3-101 et seq.

Respectfully submitted this 22nd day of March, 2010.

CALLISTER NEBEKER & MCCULLOUGH

Stephen F. Mecham

Certificate of Service

I certify that on March 22, 2010, I emailed a true and correct copy of the Amended Draft Rule filed in Docket No. 09-2424-01 to the following:

Chairman Ted Boyer
Commissioner Ric Campbell
Commissioner Ron Allen
Judge Ruben Arredondo
Sandy Mooy
John Harvey
From the Public Service Commission

Michael Ginsberg
Bill Duncan
Casey Coleman
From the Division of Public Utilities

Paul Proctor
Eric Orton
Cheryl Murray
From the Office of Consumer Services

Jim Farr
From Qwest

Curt Huttsell
From Frontier Communications

s/Stephen F. Mecham

R746-360-8. Calculation of Fund Distributions in Rate-of-Return Incumbent Telephone Corporation Territories.

A. Determination of Support Amounts --

1. Incumbent telephone corporation - Monies from the fund will equal the numerical difference between the Incumbent telephone corporation's total embedded costs of providing public telecommunications services, for a designated support area, less the product of the Incumbent telephone corporation's Average Revenue Per Line, for the designated support area, times the Incumbent telephone corporation's active access lines in the designated support area. No calculation performed pursuant to this section may change the actual or the authorized interstate return for the distribution.

a. For incumbent telephone corporations that do separations between intrastate and interstate jurisdictions under 47 CFR Part 36, total embedded costs of providing telecommunications services includes the incumbent telephone corporation's actual interstate return reported by the National Exchange Carriers Association (NECA) to the Federal Communications Commission (FCC) for the earnings monitoring period for the test year or for the year for which the distribution from the fund is calculated if that is different than the test year whether or not the monitoring period is final. For a projected test year, total embedded costs includes the interstate return authorized by the FCC.

b. For incumbent telephone corporations that are average schedule companies, in addition to the actual interstate return reported by NECA or projected return authorized by the FCC described in subsection R746-360-8 A.1.a., total embedded costs of providing telecommunications services also includes NECA's interstate allocation computation filed at the FCC under 47 CFR Part 69.606 for the test year whether the test year is historical or projected, or for the year for which the distribution from the fund is calculated if that is different from the test year.

c. For incumbent telephone corporations subject to interstate price-cap regulation, total embedded costs of providing telecommunications includes the actual interstate return of the incumbent telephone corporation's relevant tariff group as reported to the FCC for the most recent monitoring period in accordance with FCC Form 492A, whether the test year is historical or projected.