



State of Utah  
Department of Commerce  
Division of Public Utilities

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**MEMORANDUM**

**To:** Public Service Commission

**From:** Division of Public Utilities  
Philip Powlick, Director  
Bill Duncan, Telecommunications / Water Manager  
Ron Slusher, Utility Technical Consultant

**Date:** May 18, 2010

**Re:** Agreement filing in the Matter of the Interconnection Agreement between Qwest Corporation and Triarch Marketing, Inc. d.b.a. Triarch Communications per Docket No. 10-049-17.

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**RECOMMENDATION:**

The Division recommends that the interconnection agreement in this docket be denied until a CPCN is applied for and granted to Triarch Marketing, Inc. d.b.a. Triarch Communications.

**EXPLANATION:**

On May 17, 2010, Qwest Corporation filed the Interconnection Agreement per the above-referenced docket in accordance with § 54-8b-2.2(1) (d) of the *Utah Code*. To date, Triarch Marketing, Inc. d.b.a. Triarch Communications has not filed with the Public Service Commission a request to obtain a Certificate of Public Convenience and Necessity "CPCN".

Because Triarch Marketing, Inc. d.b.a. Triarch Communications has not filed for a CPCN and does not have permission from the Commission to serve within the State of Utah, the Division recommends that the interconnection agreement in this docket be denied until a CPCN is granted.

cc: L.T. Christensen, Director – Wholesale Contacts, Qwest Corporation  
James E. Dupont, President, Triarch Marketing, Inc. d.b.a. Triarch Communications  
Michael Ginsberg, Assistant Attorney General