

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Sprint Spectrum L.P. dba)
Sprint's Request for Relinquishment of) DOCKET NO. 10-2227-01
Eligible Telecommunications Carrier) ORDER GRANTING REQUEST TO
Designation in Utah) RELINQUISH ETC DESIGNATION
)

ISSUED: March 10, 2011

By The Commission:

Sprint Spectrum, L.P. dba Sprint, filed with the Commission its notice of relinquishment of its eligible telecommunications carrier (ETC) designation in Utah. The Commission granted Sprint its ETC designation in September 2003, in Docket No. 03-2227-01. Sprint has operated as an ETC in Utah since then.

Before the Federal Communication Commission (FCC), Sprint agreed to phase-out its federal high-cost universal service fund support in five equal increments starting January 2009. On September 3, 2010, the FCC issued an order detailing the manner in which Sprint would reduce its USF support. The FCC stated Sprint could meet its phase-out commitment through "line loss, relinquishment of ETC status, or other circumstances" To meet its phase-out obligations for 2011, Sprint will take steps to reduce its high-cost USF support, namely, relinquishing its ETC designation in Utah. Although Sprint will not receive federal high cost USF support, and will cease to operate as an ETC in Utah, it will continue to operate in Utah as a non-ETC. Its current subscribers will be able to continue service through Sprint but on a non-ETC basis.

47 U.S.C. § 214(e)(4) and 47 C.F.R § 54.205(a)-(b) govern the requests for relinquishment of ETC designation. 47 U.S.C. § 214(e)(4) states:

A State commission [] shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission [] of such relinquishment. Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission [] shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier.

Qwest is the incumbent local exchange carrier (ILEC) that continues to serve as an ETC in areas to be relinquished by Sprint. Therefore, there will be at least one other ETC continuing to serve. Sprint has represented that Qwest will not be required to purchase or construct additional facilities to serve areas where Sprint is relinquishing.

Sprint has also represented that once it relinquishes, it will notify its subscribers that the monthly Lifeline credit will stop in 45 days, allow them to continue their service with Sprint, or seek discounted Lifeline service from the remaining ETC, i.e. Qwest. It will not activate new Lifeline subscribers in Utah after December 31, 2010.

The Division of Public Utilities (Division) submitted its recommendation on February 14, 2011. It recommended the Commission grant the request for relinquishment. It reaffirmed that that Qwest would continue to serve as an ETC in areas relinquished by Sprint.

There is no opposition to the relinquishment. Also, there is no need for Qwest to purchase or construct additional facilities to serve as an ETC in areas relinquished by Qwest. Therefore, the Commission finds the request for relinquishment should be granted.

ORDER

1. Sprint's request to relinquish its ETC designation in Utah is granted, effective immediately;
2. Pursuant to Sections 63G-4-301 and 54-7-15 of the Utah Code, an aggrieved party may request agency review or rehearing of this Order by filing a written request with the Commission within 30 days after the issuance of this Order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission does not grant a request for review or rehearing within 20 days after the filing of the request, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a petition for review with the Utah Supreme Court within 30 days after final agency action. Any petition for review must comply with the requirements of Sections 63G-4-401 and 63G-4-403 of the Utah Code and Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 10th day of March, 2011.

/s/ Ruben H. Arredondo
Administrative Law Judge

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Approved and confirmed this 10th day of March, 2011, as the Order of the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#71254