



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: July 7, 2010

Re: In the Matter of the Application of Bresnan Broadband of Utah, LLC, to terminate their Certificate of Public Convenience and Necessity to provide to provide public telecommunications services within the Vernal Exchange in and around Vernal Utah Docket No. 10-2476-01.

RECOMMENDATION (Approval):

The Division has reviewed the request by Bresnan Broadband of Utah, LLC to have their Certificate of Public Convenience and Necessity to provide public telecommunications services within the Vernal Exchange in and around Vernal Utah terminated and recommends the Commission grant this request.

EXPLANATION:

On July 6, 2010, Bresnan Broadband of Utah, LLC, ("Bresnan"), filed with the Commission a request to have their Certificate of Public Convenience and Necessity terminated for the Vernal Exchange in and around Vernal Utah. The Division has reviewed this request and found the following:

Bresnan was issued a Certificate to provide telecommunications services within the Vernal Exchange in and around Vernal Utah on November 16, 2007 in Docket No. 07-2476-01. On May 5, 2010 Bresnan sold its cable facilities to an affiliate of UBTA-UBET Communications, Inc. As a result of this sale they will no longer have customers in the Vernal area. Bresnan states in their application that they do not intend to offer services in the area and request their CPCN be terminated for this area.

Bresnan has also states that this sale of facilities and requested termination in this area of service will have no effect on their authority to continue to offer services in Cedar City, Utah and request that their CPCN for this area not be affected.

The Division has reviewed Bresnan's application and it appears they have complied with the rules for exiting as required under Administrative Rule R746-350. The Division recommends that the Commission grant their request.

cc: James A. Holtkamp, Attorney, Bresnan Broadband of Utah, LLC
Michael Ginsberg, Assistant Attorney General