

Stephen F. Mecham (4089)  
Callister Nebeker & McCullough  
10 East South Temple, Suite 900  
Salt Lake City, Utah 84133  
Telephone: 801 530-7300  
Fax: 801 364-9127  
Email: sfmecham@cnmlaw.com

*Attorneys for the Utah Rural Telecom Association*

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

Petition for Designation as an Eligible Telecommunications Carrier in the State of Utah for the Limited Purpose of Offering Lifeline Service to Qualified Households	<b>Docket No. 10-2526-01</b> Response of the Utah Rural Telecom Association to i-wireless LLC's Motion to Waive Responsive Post-Hearing Briefs
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On May 31, 2011, i-wireless, LLC (“i-wireless”) filed a Motion to Waive Responsive Post-Hearing Briefs. In response, the Utah Rural Telecom Association (“URTA”) states the following:

1. URTA does not object to i-wireless’s Motion to Waive. URTA believes that filing briefs in this proceeding is discretionary as evidenced by the fact that not even i-wireless filed an Initial Post-Hearing brief. Of all of the parties, only the Division of Public Utilities chose to do so.

2. URTA does object, however, to i-wireless’s characterization of the evidence in this proceeding. Rather than file a brief, i-wireless filed its equivalent in the motion. In number 8 of the motion, i-wireless maintains that it has met the public interest standard required by 47 U.S.C § 214(e)(2) to be designated an eligible telecommunications carrier (“ETC”). That is not supported by the record in this Docket. Douglas Meredith, on behalf of URTA, testified that under Section 214 there are additional considerations and a higher standard for an applicant

seeking designation as an ETC to serve in rural service territory.<sup>1</sup> Otherwise, the focus on rural territory in Section 214(e)(2) is meaningless. i-wireless failed to even address, let alone meet those requirements.

3. At best, i-wireless can only claim it has met the standard to be designated an ETC in urban Utah.

4. URTA rested on the pre-filed and oral testimony of Mr. Meredith. The record in this Docket does not support the claims i-wireless makes in its Motion to Waive and URTA urges the Commission to reject them and deny i-wireless's petition for designation as an ETC.

Respectfully submitted this 1<sup>st</sup> day of June, 2011.

Callister Nebeker & McCullough

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Stephen F. Mecham

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<sup>1</sup> Among other things, an applicant is to serve the entire service territory of the rural provider and support all public interest programs. In its order issued May 25, 2011 in Docket No. 10-2521-01, the Commission generally enumerated these requirements as part of the public interest standard. In addition, the impact not just on the state universal service fund, but also on the federal universal service fund must be considered. *See* URTA 1, Transcript pp. 71-77.

CERTIFICATE OF SERVICE

I certify that on June 1, 2011, I caused to be served the Response of the Utah Rural Telecom Association to the Motion to Waive of i-wireless filed in Docket 10-2526-01 by electronic mail on the following:

DIVISION OF PUBLIC UTILITIES

Patricia Schmid      [pschmid@utah.gov](mailto:pschmid@utah.gov)  
William Duncan      [wduncan@utah.gov](mailto:wduncan@utah.gov)  
Casey Coleman      [ccoleman@utah.gov](mailto:ccoleman@utah.gov)

OFFICE OF CONSUMER SERVICES

Paul Proctor      [pproctor@utah.gov](mailto:pproctor@utah.gov)  
Cheryl Murray      [cmurray@utah.gov](mailto:cmurray@utah.gov)  
Eric Orton      [eorton@utah.gov](mailto:eorton@utah.gov)

SALT LAKE COMMUNITY ACTION PROGRAM

Betsy Wolf      [bwolf@slcap.org](mailto:bwolf@slcap.org)  
Sonya Martinez      [smartinez@slcap.org](mailto:smartinez@slcap.org)

I-WIRELESS, LLC

Lance Steinhart      [lsteinhart@telecomcounsel.com](mailto:lsteinhart@telecomcounsel.com)  
                                 [cmcdowell@telecomcounsel.com](mailto:cmcdowell@telecomcounsel.com)

s/Stephen F. Mecham