



State of Utah
Department of Commerce
Division of Public Utilities

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October 1, 2012

TO: PUBLIC SERVICE COMMISSION

FROM: DIVISION OF PUBLIC UTILITIES

Chris Parker, Director
Bill Duncan, Manager, Telecommunications and Water
Paul M. Anderson, Utility Technical Consultant

RE: Docket No. 12-042-T03 Emery Telephone filing to adjust the “transitional” access tariff rate that was required in the FCC’s November 18, 2011 Report and Order and Further Notice of Proposed Rulemaking in WC Docket Nos. 10-90, etc (FCC 11-161).

ISSUE:

Emery Telephone (Emery) is filing to adjust the “transitional” access tariff rate filed in June that implemented the first step in transitional intrastate access service rate reductions as mandated in the Federal Communications Commission’s November 18, 2011 Report and Order and Further Notice of Proposed Rulemaking in WC Docket Nos. 10-90, etc. (FCC 11-161). This new access tariff rate will continue to cover the two operating companies owned by Emery which are Emery Telephone, and Carbon/Emery Telcom.

RECOMMENDATION: Approve New Tariff

The Division reviewed the adjustment that was made because of further clarification and data required by the FCC which affected the calculation of the transitional rate. The result lowered the rate and, therefore, Emery is filing a new lower rate.

The Division agrees that this Tariff change is filed in compliance to the above mentioned FCC Order 11-161, supports this change and recommends that the tariff be approved and become effective on October 1, 2012.

cc: Brock Johansen, CEO/General Manager, Emery Telephone
Justin Jetter, Assistant Attorney General, Utah Attorney General's Office
Marialie Martinez, Manager, Customer Service, Utah Division of Public
Utilities
Eric Orton, Office of Consumer Services