



State of Utah
Department of Commerce
Division of Public Utilities

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October 30, 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. 12-2180-T03 All West Communications, Inc. filing to revise Terminating Local Transport Termination Charge up from recently revised rates that were 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:

All West Communications (All West) is filing this modification to its existing Access Service Tariff, to correct rates that were lowered too far. The new rate is based on new information from the FCC that required NECA to recalculate All West's eligible recovery from the Connect America Fund (CAF). The new access rate change implements 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).

RECOMMENDATION: Hold Approval of Tariff Modification

On October 25, 2012 the Division recommended to the Commission to approve the tariff modification. However, the Division requires further review due to other interpretations of the FCC Order (DA 12-1430) that All West based its correction of the transitional rate on that have come to light.

The Division will attempt to do a timely review so that a decision by the Commission will not affect the proposed tariff approval and effective date of November 12, 2012.

cc: Matt Weller, President, All West Communications, Inc.
Justin Jetter, Assistant Attorney General, Utah Attorney General's Office
Kira M. Slawson, Attorney, Blackburn & Stoll, LC
Marialie Martinez, Manager, Customer Service, Utah Division of Public
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Eric Orton, Office of Consumer Services