



State of Utah  
Department of Commerce  
Division of Public Utilities

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**AMENDED M E M O R A N D U M**

**To:** Public Service Commission

**From:** Division of Public Utilities  
Chris Parker, Director  
Bill Duncan, Telecommunications / Water Manager  
Ron Slusher, Utility Technical Consultant

**Date:** September 11, 2012

**Re:** In the Matter of the Application of Broadview Networks, Inc. for Approval of an Indirect Transfer of Control, Docket No.12-2514-01 AMENDED.

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**RECOMMENDATION (Approve):**

The Division has reviewed the amended information sent in by Broadview Networks, Inc. and still believes that the transfer of control is in the public interest. As a result of the restructuring, the Company should be in a better financial position to provide expanded and advanced telecommunications services in the State of Utah.

**EXPLANATION:**

On or about August 09, 2012, Broadview Networks, Inc. ("Broadview or Applicant") filed an application with the Commission notifying them of a transaction, which will result in an indirect transfer of control. At that time, the Division filed a recommendation with the Commission stating that it would be in the public interest to approve this transaction.

On or about September 6, 2012 the company filed an amendment to their original filing showing a new partner being added to their chapter 11 reorganization filing. After reviewing this new information, the Division still believes that the transfer of control is in the public interest.

cc. Catherine Wang, Counsel for Broadview Networks, Inc.  
Danielle Burt, Counsel for Broadview Networks, Inc.  
Charles Hunter, Executive VP and General Counsel, Broadview Networks, Inc.  
Patricia Schmid, Assistant Attorney General, State of Utah  
Justin Jetter, Assistant Attorney General, State of Utah  
Eric Orton, Utility Analyst, Office of Consumer Services, State of Utah