



State of Utah  
Department of Commerce  
Division of Public Utilities

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June 27, 2013

**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. 13-042-T01 Emery Telephone, Inc. filing to revise access tariff language and rates to comply with current FCC rules governing inter-carrier compensation in WC Docket Nos. 10-90, etc (FCC 11-161).**

**ISSUE:**

Emery Telephone, Inc is filing revisions to its Intrastate Access Service Tariff PSC Utah No. 2. This access service tariff change will implement the current changes 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).

In addition to the FCC mandate, the National Exchange Carrier Association (NECA) increased interstate switched access rates effective January 1, 2013, thereby increasing the rates which the carriers must match for terminating access by July 1, 2013. The proposed rates reflect the revised FCC rules and the increased NECA switched access rates.

NECA, Section 2.3 regulations are also incorporated to establish an Adjustment Factor to determine percentage of originating interstate use applicable to non-LTR rate structure.

This tariff will continue to cover the three operating companies owned by Emery which are Emery Telephone, Inc., Carbon Emery Telecom, Inc. and Hanksville Telecom, Inc.

**RECOMMENDATION: Approve New Tariff Changes**

The Division reviewed the results of the tariff calculations for the required access revenue reduction which was targeted to the local switching minutes of use rate element and determined that it was set to the appropriate rate.

The Division agrees that this Tariff change is filed in compliance to the above mentioned FCC Order 11-161, and supports this change and recommends that the tariff be approved and become effective on July 2, 2013.

**cc:** Brock Johansen, Chief Executive Officer, Emery Telephone, Inc.  
Justin Jetter, Assistant Attorney General, Utah Attorney General's Office  
Marialie Martinez, Manager, Customer Service, Utah Division of Public  
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Cheryl Murray, Office of Consumer Services