

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

)
In the Matter of Bear Lake Communications,) DOCKET NO. 13-2201-T01
Inc. Filing to Revise its Emergency Line)
Service Tariff Provision)
)
)
In the Matter of Central Utah Telephone, Inc.) DOCKET NO. 13-040-T01
Filing to Revise its Emergency Line Service)
Tariff Provision)
)
)
In the Matter of Skyline Telecom Filing to) DOCKET NO. 13-576-T01
Revise its Emergency Line Service Tariff)
Provision)
) ORDER SUSPENDING PROPOSED
) TARIFF CHANGES TO “EMERGENCY
) LINE SERVICE” TARIFF PROVISIONS,
) NOTICE OF HEARING, AND ORDER
)

ISSUED: June 14, 2013

By The Commission:

BACKGROUND

1. On April 29, 2013, Bear Lake Communications, Inc., Central Utah Telephone, Inc., and Skyline Telecom (collectively, the “Companies”) each filed separate requests to revise their respective “emergency line service” tariff provisions. In part, the Companies seek to discontinue offering emergency line service to new customers, grandfather emergency line service to existing customers, and to discontinue emergency line service to grandfathered customers “at its sole discretion.”¹

¹ Bear Lake Revised Sheet No. 29.1, available at: <http://www.psc.utah.gov/utilities/telecom/13docs/132201T01/244620Amended%20Tariff%20Sheet.docx>; Central Utah Revised Sheet No. 29.1, available at: <http://www.psc.utah.gov/utilities/telecom/13docs/13040T01/244617Amended%20Tariff%20Sheet.docx>; and Skyline Revised Sheet No. 29.1, available at: <http://www.psc.utah.gov/utilities/telecom/13docs/13576T01/244622Amended%20Tariff%20Sheet.docx>.

2. On April 30, 2013, the Commission requested the Division of Public Utilities (“Division”) investigate the proposed tariff changes.

3. On May 15, 2013, the Division filed its review and recommendation to approve the proposed tariff changes.

4. On May 30, 2013, the Commission issued an order suspending the proposed tariff changes and noticing the matter for hearing. The order states, in part:

We have reviewed the Companies’ proposed changes to the emergency line service, the Division’s recommendation, and we note further discussion is needed regarding the Companies’ request to discontinue emergency line service at its sole discretion. We, therefore, determine it would be in the public interest to further examine these dockets by noticing these matters for hearing. Accordingly, consistent with Utah Code Ann. § 54-7-12(5)(b), we suspend the proposed modification to emergency line service pending further proceedings noticed below.

(Emphasis added).

5. On May 31, 2103, the Companies each filed a revised proposed tariff sheet. Each revised tariff sheet removes the explicit reference that would otherwise allow each Company to discontinue emergency line service to grandfathered customers “at its sole discretion.” The proposed tariff now reads, in part:

As of the Effective Date of this tariff revision, Emergency Line Service is a Grandfathered Service pursuant to the General Rules and Regulations, Sheet No. 23.1. Existing customers who subscribe to Emergency Line Service as of May 31, 2013, will be allowed to retain their Emergency Line Service in the same quantity and at the same rate listed below until such time as the Company discontinues Emergency Line Service. Once the grandfathered Emergency Line Service is terminated by the Subscriber,

the service will no longer be available to that Subscriber. Grandfathered Emergency Line Service is limited to the Subscriber locations in service prior to the Effective Date of this tariff revision. Grandfathered Emergency Line Service may not be moved to a different location. If a Subscriber wishes to move his Emergency Line Service to a different location, he must discontinue the grandfathered Emergency Line Service at the existing location and obtain a currently offered service at the new location.

6. On June 7, 2013, the Commission requested the Division to review and investigate the Companies' revised proposed tariff sheets.

7. On June 14, 2013, the Division submitted its responses recommending the Commission approve the tariffs retroactively, effective June 1, 2013, and cancel the previously scheduled hearing.

DISCUSSION

We have reviewed the Companies' proposed changes to the emergency line service, the Division's recommendation, and we note further evaluation is needed. We, therefore, determine it would be in the public interest to further examine these dockets by noticing these matters for hearing. Accordingly, consistent with Utah Code Ann. § 54-7-12(5)(b), we suspend the revised tariff sheets pending further proceedings noticed below.

NOTICE OF HEARING

As previously noticed, a hearing in the above-entitled matter will be conducted by the Administrative Law Judge for the Utah Public Service Commission on **Tuesday, June 25, 2013, beginning at 1:30 p.m. (MDT)**. The hearing will be held in the **Fourth Floor Hearing**

Room 451, Heber M. Wells Bldg., 160 East 300 South, Salt Lake City, Utah. All parties must have their witnesses in attendance and prepared to testify.

Individuals wishing to participate in the hearing by telephone should contact the Public Service Commission two days in advance by calling (801) 530-6716 or (toll-free) 1-866-PSC-UTAH (1-866-772-8824). Participants attending by telephone should then call the Public Service Commission at the same number listed above five minutes prior to the hearing to ensure participation.

In accordance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this hearing should notify the Commission at 160 East 300 South, Salt Lake City, Utah 84111, (801) 530-6716, at least three working days prior to the hearing.

ORDER

The Companies' revised proposed tariff changes to emergency line service are suspended pending further proceedings and a final order of the Commission.

DATED at Salt Lake City, Utah this 14th day of June, 2013.

/s/ Ron Allen, Chairman

/s/ David R. Clark, Commissioner

/s/ Thad LeVar, Commissioner

Attest:

/s/ Gary L. Widerburg
Commission Secretary

Notice of Opportunity for Agency Review or Rehearing

Pursuant to §§ 63G-4-301 and 54-7-15 of the Utah Code, an aggrieved party may request agency review or rehearing of this Order by filing a written request with the Commission within 30 days after the issuance of this Order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission does not grant a request for review or rehearing within 20 days after the filing of the request, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a petition for review with the Utah Supreme Court within 30 days after final agency action. Any petition for review must comply with the requirements of §§ 63G-4-401 and 63G-4-403 of the Utah Code and Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on the 14th day of June, 2013, a true and correct copy of the foregoing was served upon the following as indicated below:

By Electronic-Mail:

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