

Kira M. Slawson (7081)
BLACKBURN & STOLL, LC
257 East 200 South, Suite 800
Salt Lake City, Utah 84111
Telephone (801) 521-7900
kslawson@blackburn-stoll.com

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

**IN THE MATTER OF THE UTAH
DIVISION OF PUBLIC UTILITIES’
PETITION FOR INCREASED USE
DISTRIBUTIONS TO HANKSVILLE
TELCOM, INC.**

Docket No. 14-2303-01
REPLY COMMENTS OF HANKSVILLE
TELCOM, INC.

On May 21, 2014, the Utah Division of Public Utilities (“Division”), pursuant to Utah Code Ann. §§ 54-8b-15, 63G-4-201, and Utah Admin. Code R746-100, submitted to the Public Service Commission of Utah (“Commission”), a Petition requesting approval of increased Utah Universal Telecommunication Service Support Fund (“USF”) distribution to Hanksville Telcom, Inc. (“Hanksville”). On June 10, 2014, the Commission issued a Scheduling Order and Notice of Hearing which provided that initial comments would be due on or before July 21, 2014, with reply comments due August 5, 2014. The intervention deadline in this case is July 25, 2014.

On July 18, 2014, Hanksville filed comments in support of the Division’s Petition. On July 21, 2014, the Office of Consumer Services filed its comments on the Division’s Petition. While the Office supports the Petition filed by the Division in this matter and does not oppose

the requested USF Distribution for Hanksville, the Office, in its Comments includes a discussion regarding establishment of a standard expedited application process for expedited USF Distribution cases.

The Office has outlined several “parameters and criteria” that it believes should be required for expedited UUSF filings. As a result of the Office’s Comments, on July 25, 2014, Utah Rural Telecom Association, Inc. filed Comments in this proceeding and a Conditional Petition to Intervene. URTA has indicated it has no concerns with the Division’s Petition and is only seeking intervention in the event that the Commission determines it will consider the Office’s parameters and conditions for expedited USF proceedings.

COMMENTS

As previously indicated, the Division conducted a thorough review of the Hanksville operations, books and records, ensuring protection to the USF, while minimizing the costs to the Company. Over the course of several months, Hanksville and the Division engaged in several meetings, interviews, and on-site reviews of the books, records, and operations of Hanksville. Based on the Division’s thorough audit, review, and investigation of Hanksville’s operations and the Division concluded that under Utah Admin. Code R746-360-8 Hanksville is eligible for an increase in USF in the amount of \$78,554 annually. Hanksville supports this UUSF number and the Division’s Petition. Therefore, no separate process, rules, or procedure are necessary or required under the current Utah Code and/or Administrative Rules. The required rules and process are already in place and have been utilized successfully in this proceeding.

Based discussions that Hanksville’s counsel has had with the Office, Hanksville has confirmed that the Office does not intend to litigate or seek final resolution of the Offices’

procedural “parameters and criteria” for expedited UUSF petitions in this Docket¹, and Hanksville agrees that such issues should not be included in this docket. There is no dispute identified in any of the Comments filed by the parties in this docket regarding the Division’s requested UUSF distribution to Hanksville in the amount of \$78,554 annually.

CONCLUSION

The Division’s Petition is not disputed, and is, in fact supported by all parties involved in this matter. Therefore, Hanksville respectfully requests that the Division’s Petition be granted and that the Commission enter an Order approving an annual USF Distribution to Hanksville in the amount of \$78,554. Further, Hanksville supports the informal process that was employed with the Division in this matter. This procedure, which was conducted under current statutes and rules, permitted the Division to instigate a review of the company’s operations, and conduct a thorough audit, review and investigation, thereby protecting the USF, while allowing Hanksville to access USF disbursements to which it is entitled under Utah law with reduced expenses, which is in the public interest.

Dated this 5th day of August, 2014.

BLACKBURN & STOLL, LC

Kira M. Slawson
Attorneys for Hanksville Telcom, Inc.

¹See also the Division’s Comments filed on August 4, 2014, the Division states: “In discussions regarding this issue the Office has represented that it will not seek to litigate or seek final resolution of the proposed requirements in this docket.”

CERTIFICATE OF SERVICE

I hereby certify that a copy of Hanksville's Reply Comments was transmitted electronically (email) on this the 5th day of August, 2014, to the following:

Brent Coleman
Assistant Attorney General
Office of Consumer Services
brentcoleman@utah.gov

Cheryl Murray
Michele Beck
Bela Vastag
Office Of Consumer Services
cmurray@utah.gov
mbeck@utah.gov
bvastag@utah.gov

Chris Parker, Executive Director
William Duncan, Mgr, Telecom Section
Dennis Miller, Staff Legal Assistant
UTAH DIVISION OF PUBLIC UTILITIES
ChrisParker@utah.gov
wduncan@utah.gov
dennismiller@utah.gov

Justin Jetter
ASSISTANT ATTORNEY GENERAL
Attorney for Division of Public Utilities
jjetter@utah.gov
