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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of Wide Voice, LLC for a Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Local Exchange Services within the State of Utah

**COMMENTS OF UTAH RURAL
TELECOM ASSOCIATION AND
ASSOCIATION MEMBERS AND
PETITION TO INTERVENE**

DOCKET NO. 14-2572-01

The Utah Rural Telecom Association (“URTA”), on behalf of itself and URTA members All West Communications, Inc., Bear Lake Communications, Inc., Beehive Telephone Company, Carbon/Emery Telcom, Inc., Central Utah Telephone, Inc., Direct Communications Cedar Valley, LLC, Emery Telephone, Hanksville Telcom, Inc., Manti Telephone Company, Skyline Telecom, South Central Utah Telephone Association, Inc. and Union Telephone Company (“Members” or “URTA Members”) hereby files Comments in the above-entitled matter and petitions the Public Service Commission (“Commission”) for intervention in this matter pursuant to Utah Code Ann. § 54-8b-2.1, §63G-4-207, and Utah Admin. R746-100-7.

COMMENTS OF URTA

AND REQUEST FOR INTERVENTION

1. The URTA Members are local exchange carriers providing public telecommunications services in Utah pursuant to certificates of public convenience and necessity

(“CPCN”) issued by the Commission.

2. On June 4, 2014, Wide Voice, LLC (“Wide Voice”) filed an Application for Certificate of Public Convenience and Necessity to Provide Resold and Facilities-based Local Exchange Services within the State of Utah (the “June 4 Application”). The June 4 Application (not including Exhibits) as found on the Commission website, is only two pages, and does not appear to be a complete application. URTA and its Members are unable to determine, from review of the June 4 Application, where Wide Voice intends to provide service within the State of Utah.

3. While there is no indication, in the June 4 Application posted on the Commission website, whether Wide Voice is seeking a CPCN to provide services state-wide, including all small rural exchanges within the State of Utah, in the initial Application filed by Wide Voice on April 25, 2014, which was withdrawn by Wide Voice on June 4, 2014, Wide Voice indicates that its initial focus for service will be in the service territory of CenturyLink, but notes it is requesting statewide authority.

4. Subject to Utah Code Annotated Section 54-8b-2.1, competition within a local exchange with fewer than 5,000 access lines that is owned or controlled by an incumbent local exchange carrier serving fewer than 30,000 access lines, may be excluded if such exclusion is found to be in the public interest.

5. Further, pursuant to Utah Code Annotated Section 54-8b-2.1 (3)(b), “each telecommunications corporation holding a certificate to provide public telecommunications service within the geographic area where the application is seeking to provide telecommunications service shall be provided notice of the application and granted automatic status as an intervenor.”

6. URTA and its Members do not believe it is in the public interest to grant Wide Voice a CPCN to provide service in exchanges with fewer than 5,000 access lines in the State of Utah. URTA and its Members, as the incumbent local exchange providers in the rural areas of the State of Utah, have a substantial interest in this proceeding. The issues to be considered by the Commission impact URTA's Members' business interests, operations, as well as the interests of the subscribers, residential and commercial, that the URTA Members serve in the rural exchanges. Those issues may also impact the URTA Members' continued ability to provide enhanced telecommunications services to the subscribers the rural Utah exchanges.

7. The current June 4 Application of Wide Voice, as posted on the Commission website, is not clear as to where it is seeking to provide service, and whether it is intending to seek a CPCN in the small rural exchanges of fewer than 5,000 access lines. However, as noted, the original application states that Wide Voice is seeking statewide authority. If Wide Voice is, in fact, seeking statewide authorization including exchanges with fewer than 5,000 access lines, URTA and its Members are interested parties and should be granted intervenor status in this proceeding.

8. The interests of justice and the orderly conduct of these proceedings will not be impaired by allowing URTA and its Members' participation. Wide Voice's application was recently filed June 4, 2014, and the Comment period as set by the Commission runs through July 3, 2014. Therefore, URTA and its Members' Comments and Petition to Intervene is prompt and timely, and their intervention and participation will not delay the proceedings in any way.

URTA and its Members request that copies of all notices and filings in this docket should be served on the following:

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NOW THEREFORE, URTA and its Members respectfully request that the Commission enter an Order granting this Petition to Intervene in this docket and to participate to the full extent as allowed by law. URTA and its Members further respectfully request that the Commission require Wide Voice to supplement its application to identify, with particularity, those areas within the State of Utah where it will seek to provide service, and whether such application includes exchanges with fewer than 5,000 access lines.

DATED this 24th day of June, 2014.

BLACKBURN & STOLL, L.C.

Kira M. Slawson
Attorneys for Utah Rural Telecom Association and
Its Members

CERTIFICATE OF MAILING

I hereby certify that on this 24th day of June, 2014, I caused to be mailed a true and correct copy of the foregoing COMMENTS AND PETITION TO INTERVENE OF UTAH RURAL TELECOM ASSOCIATION AND ITS MEMBERS by email to:

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