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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

**UTAH RURAL TELECOM
ASSOCIATION AND ASSOCIATION
MEMBERS' MOTION TO SUSPEND
HEARING AND REQUEST FOR
SCHEDULING AND TECHNICAL
CONFERENCE**

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”) respectfully request that the Public Service Commission (“Commission”) suspend the Notice of Hearing that is set in this matter for July 22, 2014, and set a Scheduling and Technical Conference in this matter.

BACKGROUND

On June 4, 2014, Wide Voice, LLC (“Wide Voice”) filed an Application for Certificate

of Public Convenience and Necessity. The Application itself, as contained on the Commission Website, not including exhibits is 2 pages. On June 5, 2014, the Commission issued a Notice of Filing, Comment Period and Hearing in this matter. Specifically, the Commission established an initial comment period until July 3, 2014, with reply comments due by July 18, 2014. On June 18, 2014, despite the seeming inadequacy of Wide Voice's Application, the Division of Public Utilities filed Comments recommending approval of the Wide Voice Application. In its Comments, the DPU states:

“The Applicant seeks statewide authority except within exchange areas with less than 5,000 access lines that are owned or controlled by an ILEC with fewer than 30,000 total access lines in accordance with Utah Code Ann. 5 54-8b-2.1 (3) and (4). Specifically, The Applicant seeks authority as a reseller local exchange services in the service areas of CenturyLink Communications, Inc. and any other existing or future LECs providing service in Utah.”

However, there is nothing in the Wide Voice Application that indicates its proposed service area, or limits its service to exchanges with more than 5,000 access lines.

On June 24, 2014, URTA and the URTA Members filed Comments and a Petition to Intervene in this matter. Wide Voice did not file comments during the initial comment period.

URTA and the URTA Members believe that the Application that was filed by Wide Voice, LLC on June 4, 2014, as it appears on the Commission website, is incomplete. There appear to be pages missing from the Application, and URTA is unable to determine which areas within the state Wide Voice intends to serve. In the event that Wide Voice actually filed a complete Application that included the areas in which it is seeking to provide service, and there was a mere clerical error in uploading it to the Commission website, the interested parties have not been provided an opportunity to review that complete Application because the Application on the Commission website does not contain all the relevant pages. In the alternative, if the 2 pages of Application (not including Exhibits) are all that were filed by Wide Voice, Wide

Voice's Application should be dismissed as incomplete or inadequate. In either event, it is premature to hold a public interest Hearing in this matter on July 22, 2014.

Additionally, URTA and the URTA Members have petitioned the Commission for intervention in this matter. However, the Petition for Intervention has not been ruled upon. Therefore, URTA's participation in the hearing is uncertain. URTA certainly does not want to go to the time and expense of preparing a witness for Hearing to testify that it is not in the public interest for Wide Voice to provide service in the rural areas of the state if it will not be permitted to present such witness at the hearing.

Rather, URTA and its members believe that the more prudent course of action would be for the Commission to suspend the Hearing set for July 22, 2014, and set a Scheduling and Technical Conference in this matter to permit the interested parties to discuss and mutually agree upon a schedule, determine the scope of the application (including amendment of the application or clarification thereof), conduct discovery as necessary, and adequately prepare for hearing on whether it is in the public interest for Wide Voice, LLC to provide service in the areas requested.

Finally, as a practical matter, counsel for URTA and the URTA Members, Kira M. Slawson, will be out of the office July 18-27, 2014, and will be unavailable for the Hearing scheduled on July 22, 2014, and Brett N. Anderson has a previously scheduled deposition on July 22, 2014.

CONCLUSION

URTA and its Members respectfully request that the Commission enter an Order suspending the Hearing in this matter; granting URTA's Petition to Intervene in this docket; and setting a Scheduling and Technical Conference at the earliest date possible after July 27, 2014, to allow discussion of the scope of Application, and to establish a schedule in the matter that will

allow a full, fair and comprehensive evaluation of the issues at hand.

DATED this 16th day of July, 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 16th day of July, 2014, I caused to be mailed a true and correct copy of the foregoing UTAH RURAL TELECOM ASSOCIATION AND ITS MEMBERS' MOTION TO SUSPEND HEARING AND REQUEST FOR SCHEDULING AND TECHNICAL CONFERENCE by email to:

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