

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Pole Attachment
Agreement between TDS Baja Broadband
LLC in Utah and Qwest Corporation d/b/a
CenturyLink QC

DOCKET NO. 15-049-14
ORDER APPROVING POLE
ATTACHMENT AGREEMENT

ISSUED: December 23, 2015

This matter is before the Commission on the motion of Qwest Corporation d/b/a CenturyLink QC ("CenturyLink") for approval of a pole attachment agreement ("Agreement") with TDS Baja Broadband LLC ("Baja Broadband"). On December 10, 2015, CenturyLink filed the motion, together with copies of the Agreement. Baja Broadband signed the Agreement on November 18, 2015, and CenturyLink signed it on December 3, 2015.

On December 22, 2015, the Division of Public Utilities ("Division") recommended that the Agreement be approved, stating:

The Division believes that both parties voluntarily negotiated the proposed contract incorporating most of the terms of the standard contract, while modifying the agreement in other places that were agreed upon during good faith negotiations. ...[N]o other parties have filed any comments opposing this Pole Attachment [A]greement. Because the contract was negotiated in good faith, both parties agree, and there is no opposition to the petition, the Division recommends approval.

ORDER

Having reviewed the motion, the Agreement, and the Division's recommendation, and noting that there is no opposition to the motion, the Commission finds approval of the Agreement to be just, reasonable, and in the public interest. Therefore, the Commission approves the Agreement.

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DATED at Salt Lake City, Utah, this 23rd day of December, 2015.

/s/ Jennie T. Jonsson
Administrative Law Judge

Approved and confirmed this 23rd day of December, 2015 as the Order of the Public Service Commission of Utah.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Attest:

/s/ Gary L. Widerburg
Commission Secretary
DW#271149

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this order by filing a request for review or rehearing with the Commission within 30 days after the issuance of the 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 fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, 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 Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on the 23rd day of December, 2015, a true and correct copy of the foregoing was served upon the following as indicated below:

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