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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

IN THE MATTER OF UBTA-UBET COMMUNICATIONS, INC.'S (DBA STRATA NETWORKS) APPLICATION FOR UTAH UNVERSAL SERVICE FUND SUPPORT	DOCKET NO. 15-053-01 STRATA NETWORKS' MOTION FOR PARTIAL SUMMARY JUDGMENT ON DEPRECIATION METHOD
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Pursuant to the Public Service Commission of Utah's (the "Commission") administrative rules R746-100-1.c and R746-100-3.J and Rules 7 and 56 of the Utah Rules of Civil Procedure, STRATA Networks ("STRATA") files this Motion for Partial Summary Judgment. In the Direct Testimony of Paul Hicken of the Division of Public Utilities (the "Division"), the Division has asked the Commission to adjust STRATA's 2015 Application for Utah Universal Service Fund Support to reflect the use of a single asset straight-line depreciation method rather than the group asset straight-line depreciation method STRATA has applied for decades in accordance with Commission Rule R746-340-2 D to calculate revenue requirement and necessary support from the Utah Universal Service Fund.

As set forth in STRATA's supporting memorandum, STRATA moves the Commission for partial summary judgment determining that as a matter of law, the Division and the Commission may not require STRATA to change accounting methods without first engaging in rulemaking amending Utah Admin. Code Rule R746-340-2 D so that 47 CFR 32 no longer

governs the method for asset depreciation. In addition, if the Commission amends the rule the may only apply prospectively.

Dated this 9th day of October, 2015.

Stephen F. Mecham Law, PLLC

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