



State of Utah
Department of Commerce
Division of Public Utilities

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MEMORANDUM

To: Public Service Commission

From: Division of Public Utilities
Chris Parker, Director
Bill Duncan, Telecommunications / Water Manager
Ron Slusher, Utility Technical Consultant

Date: September 18, 2015

Re: In the Matter of the Request of Talk America Services, LLC for an Amendment to CPCN Docket No.15-2236-01.

RECOMMENDATION (Acknowledge):

The Division of Public Utilities (“Division”) has reviewed the request by Talk America Services, LLC to amend the verbiage used on their current Certificate of Public Convenience and Necessity (“CPCN”) and believes that although the wording “facilities-based” does not appear on the Company’s Certificate, it is assumed that they are authorized to provide these services under the Certificate issued by the Commission.

EXPLANATION:

On or about September 17, 2015, Talk America Services, LLC (“Talk America”) filed an application for an amendment to their CPCN. The Division reviewed the application and found the following:

Talk America was issued a CPCN on November 25, 2014, under Docket Number 14-2236-01. They state that the current wording on their certificate might limit their ability to obtain interconnection agreements from ILEC and CLEC and their ability to obtain telephone numbers from North American Numbering Plan Administration (“NANPA”).

The wording in question shows on the Commission’s “Report and Order” dated November 25, 2014. It states, “Talk America Services, LLC (Talk America or Applicant) filed its application

on September 24, 2014, seeking a certificate of public convenience and necessity (Certificate) for authority to compete as a telecommunications corporation providing resold local exchange and interexchange telecommunications services within Utah.” Talk America has asked that the wording “facilities-based” be added to their certificate so, that they might avoid any problems obtaining inter-connection agreement or telephone numbers.

In reviewing the Commission’s Report and Order for Talk America, it does state, in the heading and under “Procedural History” the Company has applied for the authority to provide resold local exchange and interexchange telecommunications services. However, the actual Certificate that is issued by the Commission makes no distinction as to the services provided only the areas in which they will be provided.

The Division believes that although the wording “facilities-based” does not appear on the Company’s Certificate it is assumed that they are authorized to provide these services under the Certificate issued by the Commission.

cc: Sharon Thomas, Consultant to Talk America Services, LLC.
Justin Jetter, Assistant Attorney General, State of Utah
Cheryl Murray, Utility Analyst, Office of Consumer Services, State of Utah