

REX W. OLSEN (#4895)  
Assistant Utah Attorney General  
ROBERT J. MOORE (#5764)  
Special Assistant Utah Attorney General  
SEAN D. REYES (#7969)  
Utah Attorney General  
160 East 300 South, 5th Floor  
P.O. Box 140857  
Salt Lake City, Utah 84114-0857  
Telephone: (801) 366-0353  
[rolsen@utah.gov](mailto:rolsen@utah.gov)  
[rmoore@utah.gov](mailto:rmoore@utah.gov)  
*Attorneys for Utah Office of Consumer Services*

Before the Public Service Commission of Utah

In the Matter of Carbon/Emery Telcom, Inc.'s Application for an Increase in Utah Universal Service Fund Support	Docket No. 15-2302-01 Carbon/Emery Telcom, Inc., the Office of Consumer Services and the Division of Public Utilities Joint Motion to Withdraw Motion for Partial Summary Judgment and Motion for Expedited Briefing Schedule and Withdrawal of Testimony Relating to these Motions
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Pursuant to Utah Code Ann. § 54-4a-1 and Utah Admin. Code r. 746-100, the Utah Office of Consumer Services (“Office”), the Division of Public Utilities (“Division”) and Carbon/Emery Telcom, Inc. (“Carbon/Emery”) hereby jointly move this Commission for an Order: 1) approving the withdrawal of Carbon/Emery’s Motion for Partial Summary Judgment and Carbon/Emery’s Motion for an Expedited Briefing Schedule; and 2) Striking the testimony related to Office’s “Adjustment BCO-1: Allocate Fiber/Internet-Related Common Costs from Carbon to ETV/Nonregulated Affiliates” filed by witnesses on behalf of the Office, the Division and Carbon/Emery .

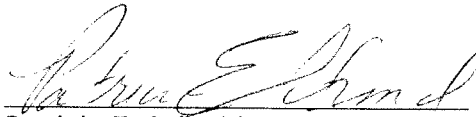
Carbon/Emery's Application for an increase in Utah Universal Service Fund Support is set for hearing on September 29, 2015. On September 11, 2015, Carbon/Emery filed a Motion for Partial Summary Judgment and a Motion for an Expedited Briefing Schedule (herein "Carbon/Emery's Motions") concerning the testimony of the Office's expert witnesses. Specifically, Carbon/Emery's Motion for Summary Judgment addressed the Office's testimony filed by Mr. Brevitz and Mr. Ostrander which requested this Commission to adjust and allocate fiber/internet related common cost from Carbon/Emery to its non-regulated affiliate for the affiliate's use of Carbon/Emery's plant to provide internet service to the affiliate's retail customers ("Adjustment to fiber/internet costs" or "BCO-1").

After the filing of Carbon/Emery's Motions, the Office and Carbon/Emery agreed that rather than litigate the legalities of this issue, Carbon/Emery would withdraw its Motions and the Office would withdraw its request for an Adjustment to fiber/internet cost (BCO-1). Carbon/Emery, the Division and the Office also agreed to withdraw the testimony of each of their witnesses relating to this issue. This agreement does not preclude any party from raising similar issues in other proceedings. The Parties will provide the Commission with a list of the testimony to be stricken prior to the hearing.

The Office, Division, and Carbon/Emery have brought this Joint Motion as an integrated whole and request that the Commission either grant this Joint Motion in its entirety or reject this Joint Motion in its entirety since Carbon/Emery's agreement to withdraw the Carbon/Emery Motions is conditioned on the Office's agreement to withdraw its BCO-1 Adjustment and the Office's agreement to withdraw its BOC-1

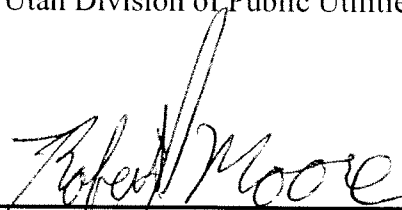
Adjustment is conditioned on Carbon/Emery's agreement to withdraw its Motions. In the event the Commission's Order does not incorporate the two related conditions identified above, the parties would not seek to have the identified lines of testimony stricken.

Dated the 18th day of September, 2015



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Patricia E. Schmid  
Assistant Attorney General  
Utah Division of Public Utilities



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Robert J. Moore  
Special Assistant Attorney General  
Utah Office of Consumer Services

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Kira M. Slawson  
BLACKBURN & STOLL, LC  
Attorneys for Carbon/Emery Telecom, Inc.

Dated the \_\_\_\_ day of September, 2015

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Patricia E. Schmid  
Assistant Attorney General  
Utah Division of Public Utilities

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Robert J. Moore  
Special Assistant Attorney General  
Utah Office of Consumer Services



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Kira M. Slawson  
BLACKBURN & STOLL, LC  
Attorneys for Carbon/Emery Telcom, Inc.