

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Application of  
Carbon/Emery Telcom, Inc. for an Increase  
in Utah Universal Service Fund Support

DOCKET NO. 15-2302-01  
ORDER ON MOTION TO VACATE  
HEARING DATE  
BRIEFING SCHEDULE ON  
PETITION FOR REVIEW AND  
CLARIFICATION

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ISSUED: October 28, 2015

On September 18, 2015, Carbon/Emery Telcom, Inc. (Carbon) filed a motion for partial summary judgment in this docket. The parties briefed the motion, and the Commission issued its order on October 15, 2015.

On October 28, 2015, Carbon filed a petition for review and clarification of the Commission's order. To allow time for briefing on its petition, Carbon also filed a motion to vacate the current hearing date of November 2, 2015.

Counsel for Carbon represents that no party to this docket wishes to oppose the motion to vacate the hearing date.<sup>1</sup>

Given the foregoing, the Commission grants the motion to vacate the November 2, 2015 hearing date as to the Utah Universal Support Fund hearing and the public witness hearing. Both hearings will be rescheduled under separate notice.

Briefing on Carbon's petition for review and clarification of the Commission's October 15, 2015 order shall proceed according to the following schedule:

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<sup>1</sup> See Kira Slawson's October 28, 2015 e-mail, attached hereto as Exhibit A.

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1. If any party wishes to file a response to the petition, it shall do so no later than **Friday, November 13, 2015.**
2. If a party files a timely response, Carbon may file a final reply no later than **Monday, November 23, 2015.**

DATED at Salt Lake City, Utah, this 28<sup>th</sup> day of October, 2015.

/s/ Jennie T. Jonsson  
Administrative Law Judge

Approved and confirmed this 28<sup>th</sup> day of October, 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#270242

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**EXHIBIT A**



Jennie Jonsson <jjonsson@utah.gov>

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## Carbon/Emery' Motion to Vacate 15-2302-01

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Kira Slawson <KiraM@blackburn-stoll.com>

Wed, Oct 28, 2015 at 12:23 PM

To: Jennie Jonsson <jjonsson@utah.gov>, Robert Moore <rmoore@utah.gov>

Cc: Michele Beck <mbeck@utah.gov>, Justin Jetter <jjetter@utah.gov>, Rex Olsen <rolsen@utah.gov>, Patricia Schmid <pschmid@utah.gov>

Judge Jonsson,

I have spoken with the Division and the Office and they have informed me that they do not intend to oppose the Motion to Vacate the Hearing Date that was filed by Carbon/Emery. I have been authorized to represent that to the Commission and have copied all relevant parties on this email.

The parties are in agreement that it would be extremely helpful to get a ruling on the Motion to Vacate as soon as possible so that expert witnesses travel plans can be canceled. The Office would like to have the Motion to Vacate decided by Friday at noon. However, it would be very helpful for Carbon/Emery's expert to have the decision made as soon as possible.

The parties lack of opposition on the motion to vacate does not represent support for the petition for clarification and all parties will reserve the right to file responsive pleadings on that Petition.

Thank you.

Kira M. Slawson

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CERTIFICATE OF SERVICE

I CERTIFY that on the 28<sup>th</sup> day of October, 2015, a true and correct copy of the foregoing was served upon the following as indicated below:

By E-Mail:

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*Counsel for Carbon/Emery Telcom, Inc.*

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