

- 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 CARBON/EMERY  
TELCOM, INC.'S REQUEST FOR  
SUPPLEMENTAL SCHEDULING  
ORDER

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ISSUED: December 8, 2015

On December 4, 2015, Carbon/Emery Telcom, Inc. (Carbon) filed a motion for leave (a) to file additional pre-hearing testimony on the issue of depreciation; and (b) to file an amended witness and exhibit list.<sup>1</sup> On December 7, 2015, the Division of Public Utilities (Division) and the Office of Consumer Services (Office) informed the presiding officer that they do not consider it necessary to supplement the docket with additional testimony. However, they request the opportunity to respond to any additional testimony that Carbon might be permitted to file.<sup>2</sup>

The Commission understands the position of the Division and the Office; the issue of depreciation has been briefed at length in this docket. However, the Commission is willing to grant Carbon some latitude to supplement the record. The Commission also sees value in allowing the parties to update their witness and exhibit lists.

**ORDER**

Carbon's motion is granted, as follows:

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<sup>1</sup> Carbon's motion is styled as a request to amend the presiding officer's third amended notice of hearings, which was issued on December 3, 2015. However, Carbon does not request modification of any date or deadline set forth in that scheduling order. Therefore, the Commission does not consider it necessary to issue an amended scheduling order and, instead, treats Carbon's filing as a request for a supplemental scheduling order.

<sup>2</sup> See the e-mail chain among the parties and the presiding officer, attached hereto as Exhibit A.

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1. Carbon shall file any final pre-hearing testimony no later than **Friday, December 18, 2015**.
2. Any other party may file responsive testimony no later than **Friday, January 15, 2016**. No party is required to file responsive testimony. A party's failing or declining to file responsive testimony shall not result in Carbon's testimony being deemed admitted or unopposed at hearing.
3. Carbon may not file a reply to another party's responsive testimony.
4. Any party that wishes to update or amend a witness and exhibit list of record shall do so no later than **Tuesday, January 19, 2016**.

DATED at Salt Lake City, Utah, this 8<sup>th</sup> day of December, 2015.

/s/ Jennie T. Jonsson  
Administrative Law Judge

Approved and confirmed this 8<sup>th</sup> 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#270854

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**EXHIBIT A**



Jennie Jonsson <[jjonsson@utah.gov](mailto:jjonsson@utah.gov)>

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

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Kira Slawson <[KiraM@blackburn-stoll.com](mailto:KiraM@blackburn-stoll.com)>

Fri, Dec 4, 2015 at 3:19 PM

To: Jennie Jonsson <[jjonsson@utah.gov](mailto:jjonsson@utah.gov)>

Cc: Justin Jetter <[jjetter@utah.gov](mailto:jjetter@utah.gov)>, Robert Moore <[rmoore@utah.gov](mailto:rmoore@utah.gov)>, Michele Beck <[mbeck@utah.gov](mailto:mbeck@utah.gov)>, Rex Olsen <[rolsen@utah.gov](mailto:rolsen@utah.gov)>, Patricia Schmid <[pschmid@utah.gov](mailto:pschmid@utah.gov)>, Chris Parker <[chrisparker@utah.gov](mailto:chrisparker@utah.gov)>

Judge Jonsson,

As the parties already know, Carbon/Emery reconsidered its position on another round of testimony and filed a Motion to Amend the Third Scheduling Order today.

Kira M. Slawson

Blackburn & Stoll, LC

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Jennie Jonsson <jjonsson@utah.gov>

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**RE: Carbon/Emery' Motion to Vacate 15-2302-01**

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Jennie Jonsson <jjonsson@utah.gov>

Mon, Dec 7, 2015 at 8:49 AM

To: Kira Slawson <KiraM@blackburn-stoll.com>

Cc: Justin Jetter <jjetter@utah.gov>, Robert Moore <rmoore@utah.gov>, Michele Beck <mbeck@utah.gov>, Rex Olsen <rolsen@utah.gov>, Patricia Schmid <pschmid@utah.gov>, Chris Parker <chrisparker@utah.gov>

Does the Division or the Office object to Carbon's proposal for a final round of testimony and an additional exchange of witness and exhibit lists?

Thank you,  
Jennie T. Jonsson  
Administrative Law Judge  
Utah Public Service Commission



Jennie Jonsson <jjonsson@utah.gov>

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**RE: Carbon/Emery' Motion to Vacate 15-2302-01**

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Justin Jetter <jjetter@utah.gov>

Mon, Dec 7, 2015 at 9:39 AM

To: Jennie Jonsson <jjonsson@utah.gov>

Cc: Kira Slawson <KiraM@blackburn-stoll.com>, Robert Moore <rmoore@utah.gov>, Michele Beck <mbeck@utah.gov>, Rex Olsen <rolsen@utah.gov>, Patricia Schmid <pschmid@utah.gov>, Chris Parker <chrisparker@utah.gov>

The Division does not believe any further testimony is necessary in this Docket. However, if the Commission grants the request for additional testimony from Carbon/Emery the Division would like an opportunity to respond. The Division would support an additional exchange of witness and exhibit lists.

Thank you,

Justin C. Jetter

[Quoted text hidden]



Jennie Jonsson <jjonsson@utah.gov>

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**RE: Carbon/Emery' Motion to Vacate 15-2302-01**

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Michele Beck <mbeck@utah.gov>

Mon, Dec 7, 2015 at 2:21 PM

To: Justin Jetter <jjetter@utah.gov>

Cc: Jennie Jonsson <jjonsson@utah.gov>, Kira Slawson <KiraM@blackburn-stoil.com>, Robert Moore <rmoore@utah.gov>, Rex Olsen <rolsen@utah.gov>, Patricia Schmid <pschmid@utah.gov>, Chris Parker <chrisparker@utah.gov>

The Office believes that additional testimony will add expense to this case without adding value. That said, if the Commission would like to accept additional testimony we can do so on the timeline proposed by Carbon Emery.

Michele Beck

Director, Utah Office of Consumer Services

<http://ocs.utah.gov/>

Direct: 801-530-6644 • Mobile: 801-815-0209 • [mbeck@utah.gov](mailto:mbeck@utah.gov)

[Quoted text hidden]

CERTIFICATE OF SERVICE

I CERTIFY that on the 8<sup>th</sup> day of December, 2015, a true and correct copy of the foregoing was served upon the following as indicated below:

By E-Mail:

Kira Slawson ([kiram@blackburn-stoll.com](mailto:kiram@blackburn-stoll.com))  
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Blackburn & Stoll, LC

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