

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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
NOTICE OF ISSUES TO BE
ADDRESSED AT HEARING

ISSUED: January 21, 2016

TO ALL PARTIES:

The Public Service Commission of Utah requests that the parties to this docket be prepared to address the following issues at the hearing beginning Tuesday, January 26, 2016:

1. Utah Code § 54-8b-6 states:

A telecommunications corporation providing intrastate public telecommunications services may not subsidize its intrastate telecommunications services which are exempted from regulation ... with proceeds from its other intrastate telecommunications services not so exempted.

Disbursements from the Utah Universal Service Fund (UUSF) constitute proceeds from regulated intrastate telecommunications operations. Are the parties satisfied that a continued or increased disbursement from the UUSF would not serve to subsidize the non-regulated operations of Carbon/Emery Telcom (Carbon/Emery)? Why or why not?

2. Utah Code § 54-8b-15(1)(a) states: "'Basic telephone service' means local exchange service[.]"¹ Utah Code § 54-8b-15(6)(a) states: "The [UUSF] shall be designed to promote equitable cost recovery of basic telephone service[.]" Are the parties satisfied

¹ Section 54-8b-15(1)(a) further provides that basic telephone service "may include such other functions and elements, if any, as the commission determines to be eligible for support by the fund." The Commission has not expanded the definition.

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that a continued or increased disbursement from the UUSF to Carbon/Emery would comply with this statutory language? Why or why not?

3. Utah Code § 54-8b-15(5) states:

Operation of the [UUSF] shall be nondiscriminatory and competitively and technologically neutral in the collection and distribution of funds, neither providing a competitive advantage for, nor imposing a competitive disadvantage upon, any telecommunications provider operating in the state.

Are the parties satisfied that a continued or increased disbursement from the UUSF to Carbon/Emery would comply with this statutory language? Why or why not?

DATED at Salt Lake City, Utah, January 21, 2016.

/s/ Jennie T. Jonsson
Administrative Law Judge

Attest:

/s/ Gary L. Widerburg
Commission Secretary
DW#271440

CERTIFICATE OF SERVICE

I CERTIFY that on January 21, 2016, a true and correct copy of the foregoing was served upon the following as indicated below:

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