

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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In the Matter of the
 Application of Wide Voice,
 LLC, for a Certificate of
 Public Convenience and Docket No. 15-2572-01
 Necessity to Provide Resold
 and Facilities-Based Local
 Exchange Services within the
 State of Utah

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 HEARING PROCEEDINGS  
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TAKEN AT: Public Service Commission
 Hearing Room 451
 160 East 300 South
 Salt Lake City, Utah

DATE: Wednesday, April 29, 2015

TIME: 9:03 a.m.

REPORTED BY: Scott M. Knight, RPR

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A P P E A R A N C E S

ADMINISTRATIVE LAW JUDGE: MELANIE A. REIF
FOR DIVISION OF PUBLIC UTILITIES:
PATRICIA E. SCHMID, ESQ.,
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1 PROCEEDINGS

2 THE HEARING OFFICER: Good morning, everyone. I'm
3 Melanie Reif and I'm the administrative law judge for the
4 Utah Public Service Commission. This morning we're hearing
5 Docket 15-2572-01. This matter is entitled In the Matter of
6 the Application of Wide Voice, LLC, for Certificate of
7 Public Convenience and Necessity to Provide Resold and
8 Facilities-Based Local Exchange Services within the State of
9 Utah.

10 Let's begin by taking appearances, please. And
11 let's start with those who are on the telephone with us this
12 morning, starting with you, Mr. Roesel.

13 MR. ROESEL: Yes. My name is Carey Roesel. I am
14 vice president of Technologies Management and am acting as
15 consultant to Wide Voice, LLC.

16 THE HEARING OFFICER: Thank you.

17 MS. ERLINGSDOTTIR: And this is Erla
18 Erlingsdottir. And I'm senior manager--

19 THE REPORTER: I'm having a hard time hearing her.
20 If it's possible to get the volume up.

21 THE HEARING OFFICER: Erla, could you restate what
22 you just said and provide a spelling for your first and last
23 names, please?

24 MS. ERLINGSDOTTIR: Uh-huh (Affirmative). This is
25 Erla Erlingsdottir. First name is E-r-l-a. Last name is

1 E-r-l-i-n-g-s-d-o-t-t-i-r. And I'm senior manager of
2 telephony services for Wide Voice, LLC.

3 THE HEARING OFFICER: Okay. Thank you.

4 And Mr. Roesel, just for clarification on the
5 record, could you please let the Commission know if you are
6 intending to testify or whether you'll be calling a witness
7 this morning?

8 MR. ROESEL: I'll be calling a witness, and Erla
9 will be the witness for Wide Voice.

10 THE HEARING OFFICER: Okay. Very good.
11 Ms. Schmid.

12 MS. SCHMID: Yes. Patricia E. Schmid with the
13 Attorney General's Office on the behalf of the Division of
14 Public Utilities. With me as the Division's witness is
15 Mr. Ron Slusher.

16 THE HEARING OFFICER: Thank you very much.

17 MS. SCHMID: And could we perhaps go off the
18 record for just one--

19 THE HEARING OFFICER: Yes.

20 MS. SCHMID: --moment?

21 THE HEARING OFFICER: We're off the record.

22 (A discussion was held off the record.)

23 THE HEARING OFFICER: Okay. We are back on the
24 record.

25 And Mr. Roesel, I'm going to let you lead off this

1 morning. And to the extent that you intend to call
2 Ms. Erlingsdottir, I--I'd like to go ahead and have her
3 sworn in now.

4 So Ms. Erlingsdottir, if you would kindly raise
5 your right hand. And do you swear that the testimony you'll
6 be providing this morning is the truth--will be the truth?

7 MS. ERLINGSDOTTIR: I do.

8 THE HEARING OFFICER: Okay. Thank you very much.
9 Okay.

10 So Mr. Roesel, the floor is yours.

11 MR. ROESEL: Thank you.

12 ERLA ERLINGSDOTTIR,
13 being first duly sworn, was examined and testified as
14 follows:

15 DIRECT EXAMINATION

16 BY MR. ROESEL:

17 Q Erla, if you could just explain your
18 responsibilities with Wide Voice and your employment history
19 with them.

20 THE HEARING OFFICER: Mr. Roesel--

21 THE WITNESS: I've been with Wide Voice for almost
22 a couple years now.

23 THE HEARING OFFICER: Mr.--

24 THE WITNESS: I handle any telephony-related work,
25 basically A to Z, from regulatory to turning up service.

1 THE HEARING OFFICER: Mr. Roesel, hang on just one
2 second, please.

3 Let's go off the record, please.

4 (A discussion was held off the record.)

5 THE HEARING OFFICER: We're back on the record.
6 And Mr. Roesel, the--we'll allow you to continue,
7 sir.

8 MS. ERLINGSDOTTIR: Thank you.

9 MR. ROESEL: Wide Voice, LLC, is a CLEC that is
10 seeking certification in a number of states, and has
11 certification in a number of states around the country. The
12 certification they're seeking today in Utah is sought for
13 competitive--

14 THE REPORTER: I'm sorry.

15 THE HEARING OFFICER: Mr. Roesel--

16 MR. ROESEL: --and that is in the rural areas of
17 Utah not seeking authority there.

18 THE HEARING OFFICER: Mr. Roesel, I'm terribly
19 sorry--

20 MR. ROESEL: I will--

21 THE HEARING OFFICER: --to interrupt you.

22 MR. ROESEL: Excuse me?

23 THE HEARING OFFICER: I'm terribly sorry to
24 interrupt you. The court reporter is having a difficult
25 time following you.

1 MR. ROESEL: I'm sorry.

2 THE HEARING OFFICER: And I apologize. It makes
3 it difficult when we're trying to communicate over the
4 telephone, and I'm not always able--

5 MR. ROESEL: Right.

6 THE HEARING OFFICER: --to get your attention. So
7 if you could slow down.

8 MR. ROESEL: I will slow it down and be more
9 clear.

10 THE HEARING OFFICER: Yes. That would be
11 excellent. Thank you so much.

12 MR. ROESEL: Thank you. I apologize.

13 THE HEARING OFFICER: No worries.

14 MR. ROESEL: So let me--let me start again. Wide
15 Voice, LLC, is a CLEC that is seeking certification across
16 the country. Wide Voice already has certification in over
17 thirty states, and Utah is part of this nationwide
18 expansion. Wide Voice seeks competitive telecommunications
19 authority in Utah. The geographic area will be limited to
20 the more urban areas of the state. It will not impact any
21 of the rural areas of the state. It seeks to offer service
22 on a facilities basis but is not constructing facilities in
23 the state of Utah, rather, use the facilities of existing
24 providers' leases and other things and its own switches
25 outside the state to provide a variety of telecommunication

1 services in Utah.

2 To speak to the public interest, the expansion of
3 competition in any state, we believe, is a good thing. The
4 expansion of competitive telecommunications offerings by a
5 variety of providers is a positive thing and only provides
6 additional choices to consumers in Utah. We believe
7 granting the authority of Wide Voice will further that end.

8 At this point, I'd like permission to call a
9 witness from the company, Erla Erlingsdottir, to speak to
10 her role with the company and Wide Voice's plans in Utah.

11 THE HEARING OFFICER: Thank you, Mr. Roesel. You
12 may go ahead.

13 BY MR. ROESEL:

14 Q Erla, could you please describe your
15 responsibilities with Wide Voice, LLC?

16 A Yes. I handle any telecom-related business for
17 Wide Voice, anything from regulatory, 911, LNP, building the
18 facilities, turning out facilities, anything of that nature.

19 Q Okay. So you are in a good position to speak to
20 the operational aspects of Wide Voice, the expansion that
21 Wide Voice is currently pursuing in--around the country.
22 And you've testified as to the company's plans and
23 competencies in other jurisdictions; is that correct?

24 A That's correct.

25 Q Okay. And can you speak to the services that Wide

1 Voice plans to offer in Utah?

2 A Wide Voice is proposing to offer competitive
3 telecommunication service, including exchange access
4 service, in Utah. We will use our own facilities or lease
5 facilities from third-party vendors. We will be providing
6 voice-enabled business customers and telephony application
7 provider service, both on a retail and a wholesale and a
8 carrier level.

9 Q Thanks, Erla.

10 MR. ROESEL: At this point, Erla is available for
11 any questions that there may be for her or for the company.

12 THE HEARING OFFICER: Ms. Schmid, I'll let you go
13 first.

14 MS. SCHMID: The Division has no questions.

15 THE HEARING OFFICER: Okay. Mr. Roesel, just a
16 couple of questions for your witness, please.

17 EXAMINATION

18 BY THE HEARING OFFICER:

19 Q Ms. Erlingsdottir, thank you for being with us
20 this morning. And are you familiar with the application
21 that was filed with the Commission on March 13th, 2015?

22 A Yes.

23 Q And have you reviewed that application and the
24 various provisions that it contains?

25 A I have.

1 Q And do you believe that the representations in
2 that application are true and accurate?

3 A I do.

4 Q Are there any changes that you believe would need
5 to be made to that application other than what has been
6 submitted?

7 A I think the only changes are the statement that
8 have been approved since then.

9 THE REPORTER: Approved what?

10 THE HEARING OFFICER: Approved since then.

11 BY THE HEARING OFFICER:

12 Q And which states would those be?

13 A Missouri recently got approved.

14 Q Okay. All right.

15 A And West Virginia is pending as well.

16 Q Okay. Thank you for that clarification.

17 And one of the important factors that we need to
18 address this morning--and Mr. Roesel touched upon this a bit
19 in his statement--but since he wasn't actually sworn in as a
20 witness and you're testifying in this case, do you recall
21 what he said about the issuance of the certificate being
22 just and reasonable and in the public interest? I think he
23 may have just referred to the public interest.

24 A Yeah, I think we just said a general public
25 interest statement.

1 Q Okay.

2 A I'm not sure what you're asking in there.

3 Q Well, I was just asking if you recall what he said
4 during his statement. And do you--do you recall what he
5 said?

6 A Yes, in general.

7 Q Okay. And do you agree with what he said?

8 A Yes.

9 Q Okay.

10 A Yes.

11 Q And is it your testimony that issuing the
12 certificate, more particularly the certificate of
13 convenience and necessity, is just and reasonable and in the
14 public interest?

15 A Absolutely.

16 Q Okay. Is there anything else that you wish to add
17 this morning concern--concerning the pending application?

18 A Nothing from me.

19 THE HEARING OFFICER: Okay. Thank you very much.

20 Mr. Roesel, just to help this move along a little
21 bit, I am going to take administrative notice of the
22 application and the--in full, which was filed on March 13,
23 2015, along with the memorandum that was filed by the
24 Division on April 3rd, 2015.

25 And I'm going to turn now to the Division and let

1 them proceed. Ms. Schmid.

2 MS. SCHMID: Thank you. Would the Division's
3 witness, Mr. Slusher, be sworn?

4 THE HEARING OFFICER: Yes.

5 Good morning, Mr. Slusher.

6 MR. SLUSHER: Good morning.

7 THE HEARING OFFICER: Would you raise your right
8 hand. And do you swear the testimony you will be providing
9 this morning will be the truth?

10 MR. SLUSHER: Yes.

11 THE HEARING OFFICER: Thank you.

12 RON SLUSHER,

13 being first duly sworn, was examined and testified as
14 follows:

15 EXAMINATION

16 BY MS. SCHMID:

17 Q Good morning. Could you please state your full
18 name, occupation, and business address for the record?

19 A Name is Ron Slusher. "S" as in "Sam,"
20 l-u-s-h-e-r. My title is utility technical consultant for
21 the Division of Utah. Address, 160 East 300 South.

22 Q In Salt Lake City?

23 A Salt Lake City. Heber Wells Building.

24 Q In connection with your employment at the
25 Division, did you review the application?

1 A Yes, I did.

2 Q Did you prepare the Division's memorandum filed in
3 this docket on April 3rd, 2015?

4 A Yes, I did.

5 Q Does that memorandum still accurately represent
6 the Division's position?

7 A Yes, it does.

8 Q Do you adopt what is stated in that memorandum as
9 your testimony here today?

10 A Yes, I do.

11 Q In your opinion, and in the opinion of the
12 Division, is approval of the application just and reasonable
13 and in the public interest?

14 A Yes, it is.

15 Q Thank you.

16 MS. SCHMID: Mr. Slusher's now available for
17 questions.

18 THE HEARING OFFICER: Thank you.

19 Mr. Roesel, would you like to question Mr. Slusher
20 regarding his testimony?

21 MR. ROESEL: I have no questions at this time.

22 Thank you.

23 THE HEARING OFFICER: Thank you.

24 EXAMINATION

25 BY THE HEARING OFFICER:

1 Q Mr. Slusher, just one question for you, please.
2 Are you aware of any concerns regarding the application
3 that's pending?

4 A I have not heard any.

5 THE HEARING OFFICER: Okay. All right. Very
6 good. Unless there's anything else that the Commission
7 needs to consider this morning, we'll be adjourned and take
8 the matter under consideration. Are there any questions
9 before we go off the record?

10 MS. SCHMID: No questions from the Division.

11 THE HEARING OFFICER: Okay. Mr. Roesel, any
12 questions from you, sir?

13 MR. ROESEL: No--no, I don't.

14 THE HEARING OFFICER: Okay. Thank you, everyone,
15 for being here this morning. And we'll try to have this
16 order issued just as soon as possible. Thank you. Have a
17 good day.

18 MR. SLUSHER: Thank you.

19 MS. SCHMID: Thank you.

20 THE HEARING OFFICER: We'll be off the record.
21 (Proceedings concluded at 9:19 a.m.)

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CERTIFICATE

This is to certify that the foregoing proceedings were taken before me, SCOTT M. KNIGHT, a Registered Professional Reporter and Notary Public in and for the State of Utah, residing at South Jordan, Utah;

That the proceedings were reported by me in stenotype and thereafter caused by me to be transcribed into typewriting, and that a full, true, and correct transcription of said proceedings so taken and transcribed is set forth in the foregoing pages, inclusive.

I further certify that I am not of kin or otherwise associated with any of the parties to said cause of action, and that I am not interested in the event thereof



Scott M. Knight

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