This matter is before the Public Service Commission of Utah (Commission) on a notice filed June 28, 2016. The public utility at issue in this matter is inContact, Inc. The June 28, 2016 notice informs the Commission of a voting securities transfer agreement executed among NICE, Ltd.; inContact, Inc.; and Victory Merger Sub, Inc. When the transfer agreement is executed, NICE, Ltd. will acquire all of the voting securities of inContact, Inc., and thereby gain indirect control of the public utility. However, inContact, Inc. will survive the merger as a wholly-owned subsidiary of NICE Systems, Inc., which is the parent company of NICE, Ltd.

On July 6, 2016, in response to a Commission action request, the Division of Public Utilities (Division) stated the following:

The [parties] submit that the transaction … will serve the public interest by enhancing the ability of inContact and NICE to expand their respective operations and compete more effectively in the telecommunications marketplace. inContact will also have access to the financial, operations, and managerial resources of NICE. Such support will strengthen the competitive position of inContact, to the benefit of the telecommunications marketplace.

On July 7, 2016, the Commission issued a notice of filing and established a comment deadline of Friday August 5, 2016. No comments were submitted during the comment period.

If no objection to the proposed transaction is submitted in any filed comments … the Commission will presume that approval of the transaction is in the public interest and use the information contained in the application and accompanying documents as evidence to support a Commission order.

There is no objection to the proposed transaction. Therefore, under Utah Admin. Code R746-349-7(A)(3) and in light of the Division's comments, the Commission presumes the proposed transaction to be in the public interest.

ORDER

The indirect transfer of control of inContact, Inc. to NICE Systems, Inc. is deemed to be in the public interest.

DATED at Salt Lake City, Utah, this 9th day of August, 2016.

/s/ Jennie T. Jonsson
Administrative Law Judge

Approved and confirmed this 9th day of August, 2016 by 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# 288513
CERTIFICATE OF SERVICE

I CERTIFY that on August 9, 2016, a true and correct copy of the foregoing was served upon the following as indicated below:

By Electronic-Mail:

Daniel Lloyd (daniel.lloyd@incontact.com)
Matthew Crumley (matthew.crumley@incontact.com)
Gregory Ayers (greg.ayers@incontact.com)
inContact, Inc.

Allison D. Rule (adr@CommLawGroup.com)
The CommLaw Group

Jeff Levenberg (jeff.levenberg@nice.com)
NICE Systems, Inc.

John Beahn (john.beahn@skadden.com)
Joshua Gruenspecht (joshua.gruenspecht@skadden.com)
Skadden, Arps, Slate, Meagher& Flom LLP

Brett N. Anderson (bretta@blackburn-stoll.com)

Vicki Baldwin (vbaldivin@parsonsbehle.com)

Sharon Bertelsen (bertelsens@ballardspahr.com)

Larry Bowman (larry.bowman@charter.com)

Brian W. Burnett (brianburnett@cnmlaw.com)
(bflregulatory@chartercom.com)

Eddie L. Cox (ecox@cut.net)

James Farr (james.farr@centurylink.com)

Amy Gross (agross@tminc.com)

Alan Haslem (ahaslem@mleainc.com)
DOCKET NO. 16-2442-01

Ray Hendershot (ray.hendershot@beehive.net)
William Huber (William.huber@questar.com)
Bill Hunt (williamp.hunt@dish.com)
David R. Irvine (Drirvine@aol.com)
Kristin L. Jacobson (Kristin.l.jacobson@sprint.com)
Brock Johansen (bjohansen@emerytelcom.com)
Dawn Kubota (kubotad@ballardspahr.com)
Jasen Lee (jlee@desnews.com)
Kirk Lee (kirk.lee@ftr.com)
Shirley Malouf (srmalouf@stoel.com)
Jennifer H. Martin (jhmartin@stoel.com)
Steve Mecham (sfmecham@gmail.com)
Roger Moffitt (roger.moffitt@att.com)
Gregory Monson (gbmonson@stoel.com)
Sharon Mullin (slmullin@att.com)
Thorvald Nelson (tnelson@hollandhart.com)
Janice Ono (Janice.ono@att.com)
Sheila Page (spage@utah.gov)
Mike Peterson (mpeterson@utahcooperatives.org)
Pam Pittenger (pam.pittenger@ftr.com)
Jenny Prescott (jenny.prescott@allwest.com)
DOCKET NO. 16-2442-01

- 5 -

Bruce Rigby (bruce@ucmc-usa.com)
Gary Sackett (gsackett@joneswaldo.com)
Kira Slawson (kiram@blackburn-stoll.com)
Alan L. Smith (alanakaed@aol.com)
Ted D. Smith (tsmithlaw@earthlink.net)
Kendra Thomas (kthomas@kfrservices.com)
Bruce H. Todd (btodd@stratanetworks.com)
Jake Warner (jakew@beehive.net)

James H. Woody (jwoody@union-tel.com)
John Woody (jwoody@union-tel.com)
Union Telephone Company

Patricia Schmid (pschmid@utah.gov)
Justin Jetter (jjetter@utah.gov)
Rex Olsen (rolsen@utah.gov)
Assistant Utah Attorneys General

By Hand-Delivery:

Division of Public Utilities
160 East 300 South, 4th Floor
Salt Lake City, Utah 84111

Office of Consumer Services
160 East 300 South, 2nd Floor
Salt Lake City, Utah 84111

Administrative Assistant