

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

<p>In the Matter of:</p> <p>The Request to Amend the Certificate of Public Convenience and Necessity of Matrix Telecom, Inc.;</p> <p>The Petition for Leave to Transfer Customers of TNCI Operating Company, LLC to Matrix Telecom, LLC; and</p> <p>The Petition to Cancel the Certificate of Public Convenience and Necessity of TNCI Operating Company, LLC</p> <p>In the Matter of the Application of Matrix Telecom, Inc. for a Certificate of Public Convenience and Necessity to Resell Local Exchange Telecommunications Services within the State of Utah</p>	<p><u>DOCKET NOS. 16-2431-01 and 16-2452-01</u></p> <p><u>ORDER</u></p> <p><u>DOCKET NO. 05-2452-01</u></p>
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ISSUED: April 26, 2016

This matter is before the Public Service Commission of Utah (Commission) on a joint filing of Matrix Telecom, Inc. (Matrix) and TNCI Operating Company, LLC (TNCI), seeking Commission approval of the following:

1. Matrix's request to amend its certificate of public convenience and necessity to reflect its new name, Matrix Telecom, LLC.
2. Applicants' petition to transfer the customers of TNCI to Matrix.
3. TNCI's petition to cancel its certificate of public convenience and necessity.

On April 13, 2016, the Division of Public Utilities (Division) filed a memorandum in this docket, recommending approval of the parties' requests. In recommending approval, the Division stated:

The Applicants expect that the merger will enable the combined entities to better meet the needs of enterprises, wholesale buyers, and other customers. Operating as an integrated company will allow each of the operating companies to be more competitive and to deliver greater value and variety of services to their customers than they do individually.

The Commission issued notices of application and hearing on April 14, 2016. The Administrative Law Judge for the Commission held a hearing on April 25, 2016. Thomas Forte appeared telephonically for the Applicants. Justin Jetter appeared for the Division, joined by William Duncan, Division Telecommunications Manager.

At hearing, the testimony established that there has been no opposition to the Applicants' proposed transaction, which is not subject to approval from the Federal Communications Commission. Further, the parties agree that the proposed transaction is in the public interest. No one appeared at the hearing to object to the application.

Pursuant to Utah Admin. Code R746-349-7(A)(3):

If no objection to the proposed transaction is submitted in any filed comments or reply 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 granting of the application. Therefore, under Utah Admin. Code R746-349-7(A)(3) and in light of the Division's comments and testimony, the Commission presumes the application to be in the public interest.

ORDER

Given the foregoing, the Commission acknowledges Matrix Telecom, Inc.'s new name of Matrix Telecom, LLC and amends the utility's Certificate of Public Convenience and Necessity

accordingly. The amended Certificate is attached to this order as Exhibit A. Further, the Commission approves the transfer of TNCI Operating Company, LLC's customers to Matrix Telecom, LLC. Finally, the Commission cancels Certificate of Public Convenience and Necessity 2431, under which TNCI Operating Company, LLC has been authorized to operate as a public utility in the State of Utah.

DATED at Salt Lake City, Utah, April 26, 2016.

/s/ Jennie T. Jonsson
Administrative Law Judge

Approved and confirmed April 26, 2016 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#275424

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this order by filing a request for review or rehearing with the Commission within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

EXHIBIT A

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application of Matrix Telecom for a Certificate of Public Convenience and Necessity to Resell Local Exchange Telecommunications Services within the State of Utah	<u>DOCKET NO. 05-2452-01</u>
In the Matter of:	<u>DOCKET NO. 16-2452-01</u>
The Request to Amend the Certificate of Public Convenience and Necessity of Matrix Telecom, Inc.;	<u>AMENDED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY</u>
The Petition for Leave to Transfer Customers of TNCI Operating Company, LLC to Matrix Telecom, LLC; and	
The Petition to Cancel the Certificate of Public Convenience and Necessity of TNCI Operating Company, LLC	

ISSUED: April 26, 2016

The Public Service Commission of Utah, pursuant to the Utah Code Ann. § 54-8b-2.1, issues an Amended Certificate of Public Convenience and Necessity authorizing Matrix Telecom, LLC to provide public telecommunications services within the State of Utah, excluding those local exchanges of less than 5,000 access lines of incumbent telephone corporations with fewer than 30,000 access lines in the state.

DATED at Salt Lake City, Utah, April 26, 2016.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Attest:

/s/ Gary L. Widerburg
Commission Secretary
DW#275424

CERTIFICATE OF SERVICE

I CERTIFY that on April 26, 2016, a true and correct copy of the foregoing was served upon the following as indicated below:

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