



State of Utah

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Lieutenant Governor

Public Service Commission

THAD LeVAR
Chair

DAVID R. CLARK
Commissioner

JORDAN A. WHITE
Commissioner

March 24, 2016

Ionex Communications North, Inc., d/b/a Birch Communications
c/o William J. Evans, Esq.
Parsons Behle & Latimer
201 S. Main Street, Ste. 1800
Salt Lake City, UT 84111

Dear Mr. Evans,

The Commission has received the February 18, 2016 notice that Ionex Communications North, Inc. d/b/a Birch Communications (Ionex) intends to acquire Primus Telecommunications, Inc. (Primus). The notice has been docketed under case number 16-2563-01.

On March 18, 2016, the Division of Public Utilities (Division) filed a memorandum reviewing and summarizing the proposed transfer of control. The Division stated no objections to the transaction.

As you state in the notice, Primus does not operate in Utah as a public utility and does not hold a certificate of public convenience and necessity. Therefore, in acquiring Primus, Ionex is not acquiring another public utility. In these circumstances, the Commission agrees with your jurisdictional analysis. Commission approval of the transaction is not required, and the Commission will close this docket without further action.

Sincerely,

/s/ Gary L. Widerburg
Commission Secretary
DW#272670

cc: Bill Duncan, Telecommunications/Water Manager, Division of Public Utilities
Ron Slusher, Utility Analyst, Division of Public Utilities
Dennis Miller, Paralegal, Division of Public Utilities