

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Application of Boomerang Wireless, LLC d/b/a enTouch Wireless for Designation as an Eligible Telecommunications Carrier in the State of Utah for the Limited Purpose of Offering Lifeline Service to Qualified Low- income Households	<u>DOCKET NO. 16-2590-01</u> <u>ORDER APPROVING SETTLEMENT</u> <u>STIPULATION</u>
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ISSUED: September 13, 2017

BACKGROUND

On September 29, 2016, Boomerang Wireless, LLC d/b/a enTouch Wireless (Boomerang) filed an application with the Public Service Commission of Utah (PSC) for designation as an eligible telecommunications carrier. The parties participated in scheduling conferences on November 7, 2016 and on March 16, 2017, and set deadlines for the filing of pre-hearing testimony, motions, and disclosures.

On June 8, 2017, the parties informed the PSC that they anticipated reaching a settlement agreement and no longer needed to conduct discovery or file testimony. Therefore, the PSC stayed all pre-hearing deadlines.

On August 22, 2017, the parties filed the anticipated settlement agreement.

The presiding officer held a hearing in this docket on September 11, 2017. Brian W. Burnett appeared as counsel for Boomerang, joined telephonically by Kimberley Lehrman and Julia Redman-Carter. Ms. Lehrman is the president of Boomerang. Assistant attorney general Justin Jetter represented the Utah Division of Public Utilities (Division), joined by William Duncan, manager of the Division's telecommunications section. Assistant attorney general

Robert Moore represented the Utah Office of Consumer Services (Office), joined by Cheryl Murray, utility analyst for the Office.

At hearing, all parties testified that the stipulation agreement is just and reasonable in result and in the public interest. In so testifying, the parties confirmed that Boomerang meets all requirements for designation as an eligible telecommunications company; that Boomerang's proposed service plans meet all Lifeline requirements; and that Boomerang's operations within the State of Utah will benefit the public, particularly low-income consumers.

No person has filed comments in this docket to oppose Boomerang's application.

FINDINGS AND CONCLUSIONS

Settlements of matters before the PSC are encouraged at any stage of the proceedings. The PSC may approve a proposed settlement if, after considering the interests of the public and other affected persons, the PSC finds the proposal to be in the public interest. Utah Code § 54-7-1.

All parties to this matter agree that the public interest will be served by designating Boomerang as an eligible telecommunications carrier, and there is no evidence of record to the contrary. Therefore, the PSC finds and concludes that the proposed settlement may be approved under Utah Code § 54-7-1.

ORDER

Pursuant to the terms of the settlement agreement filed by the parties in this docket on August 22, 2017, the PSC grants Boomerang's application for designation as an eligible telecommunications carrier in the State of Utah.

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DATED at Salt Lake City, Utah, September 13, 2017.

/s/ Jennie T. Jonsson
Administrative Law Judge

Approved and confirmed September 13, 2017 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#296620

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 PSC 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 PSC 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 PSC'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.

CERTIFICATE OF SERVICE

I CERTIFY that on September 13, 2017, a true and correct copy of the foregoing was served upon the following as indicated below:

By Electronic-Mail:

David J. Shaw (dshaw@kmclaw.com)
Kirton McConkie

J. Andrew Gipson (agipson@joneswalker.com)
Jones Walker, LLP

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

Sara Baldwin (sbaldwin@utahcleanenergy.org)

Vicki Baldwin (vbaldwin@parsonsbehle.com)

Sharon Bertelsen (bertelsens@ballardspahr.com)

Brian W. Burnett (bburnett@kmclaw.com)

Kimberly Ceruti (kimberly.ceruti@ehc-usa.com)

(cflregulatory@chartercom.com)

Eddie L. Cox (ecox@cut.net)

David Crabtree (crabtree@deseretgt.com)

Stacey Davis (stacey.davis@pacificorp.com)

Curt Dowdle (curt@slhba.com)

Carl Erhart (carl.erhart@ftr.com)

Vickie Esparza (vickie.esparza@pacificorp.com)

William J. Evans (wevans@parsonsbehle.com)

James Farr (james.farr@centurylink.com)

Kelly Francone (kfrancone@energystrat.com)

Natalie Gleave (natalieg@gtelco.net)

Amy Gross (agross@tminc.com)

Alan Haslem (ahaslem@mleainc.com)

Ray Hendershot (ray.hendershot@beehive.net)

Yvonne Hogle (yvonne.hogle@pacificorp.com)

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)

Joelle Steward (joelle.steward@pacificorp.com)

Brock Johansen (bjohansen@emerytelcom.com)

Ginger Johnson (gingera.pinales@questar.com)

Rebecca Kelly (rak@stateside.com)

Dawn Kubota (kubotad@ballardspahr.com)

Jasen Lee (jlee@desnews.com)

Mike Legge (mlegge@usmagnesium.com)

Shirley Malouf (srmalouf@stoel.com)

George Marget (george.marget@dom.com)

Jennifer H. Martin (jhmartin@stoel.com)

Chuck McCown (chuck@directcom.com)

Steve Mecham (sfmecham@gmail.com)

Roger Moffitt (roger.moffitt@att.com)

Gregory Monson (gbmonson@stoel.com)

Melissa Montin (mpf@stateside.com)

Sharon Mullin (smullin@att.com)

Thorvald Nelson (tnelson@hollandhart.com)

(news@krcl.org)

Michael Orton (michael.orton@questar.com)

(jpeterson@utahcooperatives.org)

Mike Peterson (mpeterson@utahcooperatives.org)

Paul M. Pietsch (paul.pietsch@drsgcoalition.org)

Pam Pittenger (pam.pittenger@ftr.com)

Tariff Policy (tariffpolicy@pacificorp.com)

Jenny Prescott (jenny.prescott@allwest.com)

(radioactive@krcl.org)

Bob Reeder (bobreeder@parsonsbehle.com)

F. R. Reeder (frreeder@parsonsbehle.com)

Jeff Richards (jeff.richards@pacificorp.com)

Mark Richards (markrichards@imwindandsolar.com)

Bruce Rigby (bruce@summitcorp.net)

Gary Sackett (gsackett@joneswaldo.com)

Darren Shepherd (darren.shepherd@questar.com)

Kira Slawson (kiram@blackburn-stoll.com)

Alan L. Smith (alanakaed@aol.com)

Phillip Solomon (psolomon@deseretpower.com)

Kendra Thomas (kthomas@kfrservices.com)

Bruce H. Todd (btodd@stratanetworks.com)

(tonyhall2004@hotmail.com)

Jake Warner (jakew@beehive.net)

Ronald Weathers (ron.weathers@ehc-usa.com)

James H. Woody (jwoody@union-tel.com)

John Woody (jowood@union-tel.com)

Union Telephone Company

Patricia Schmid (pschmid@agutah.gov)

Justin Jetter (jjetter@agutah.gov)

Steven Snarr (stevensnarr@agutah.gov)

Robert Moore (rmoore@agutah.gov)

Assistant Utah Attorneys General

Erika Tedder (etedder@utah.gov)

Division of Public Utilities

By Hand-Delivery:

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

Administrative Assistant