



State of Utah

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Public Service Commission

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Commissioner

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Commissioner

February 1, 2018

William J. Evans
Parsons Behle & Latimer
201 South Main Street, Suite 1800
Salt Lake City, UT 84111

Re: Docket No. 17-2468-01, Notice of Transfer of Indirect Control of YMax Communications Corp. to B. Riley

Dear Mr. Evans,

The Public Service Commission (“PSC”) has reviewed YMax Communications Corp. (“YMax”) and B. Riley’s (“Riley”) Notice of Indirect Transfer of Control of YMax Communications Corp. to B. Riley (“Notice”), filed December 13, 2017, and the Division of Public Utilities’ (“DPU”) comments, filed January 8, 2018, recommending the PSC allow the indirect transfer of control.

The Notice represents YMax’s parent company, MJVT and its subsidiaries, will be acquired by Riley. The Notice does not request the PSC’s approval of the transaction, rather the filing parties notify the PSC of the pending transaction and assert the transaction does not involve either the merger of two public utilities engaged in the same general line of business in the state, or the merger of two companies that own or control public utilities engaged in the same general line of business in the state. The filing parties suggest PSC approval is not required. The DPU did not address whether PSC approval of this transaction is required, but, nevertheless, recommends the PSC allow it.

No party has identified a statutory or other legal requirement for the PSC to approve this transaction, and no party has properly requested a declaratory ruling on the issue. *See Utah Admin. Code R746-101-1, et seq.* Accordingly, the PSC acknowledges the filing of the Notice and gives notice it will take no further action in this docket unless a party files a request for the PSC to do so and explains the jurisdictional basis on which the PSC may or should act.

Correspondence from Gary L. Widerburg
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Sincerely,

/s/ Gary L. Widerburg
PSC Secretary
DW#299681