
BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Joint Application of GTT Americas, LLC; Pivotal Global Capacity, LLC; and GC Pivotal, LLC d/b/a Global Capacity for Approval to Transfer Control of GC Pivotal, LLC to GTT Americas, LLC

DOCKET NO. 17-2539-01
ORDER APPROVING TRANSFER OF CONTROL

ISSUED: July 27, 2017

On June 26, 2017, GTT Americas, LLC; Pivotal Global Capacity, LLC; and GC Pivotal, LLC d/b/a Global Capacity filed with the Public Service Commission of Utah an application for approval to transfer control of GC Pivotal, LLC d/b/a Global Capacity to GTT Americas, LLC and its direct parent company GTT Communications, Inc.

On June 27, 2017, the PSC issued a notice establishing Wednesday, July 26, 2017 as the comment deadline in this docket. On July 18, 2017, the Division of Public Utilities (Division) filed a memorandum recommending that the proposed transfer of control be allowed. In making this recommendation, 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. The transaction will bring together two successful carrier organizations that have proven themselves in a highly competitive marketplace. The transaction will help create a stronger competitor by bringing together each organization's respective strengths. 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.

No other comments have been filed in this docket.

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

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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 transfer of control. Therefore, under Utah Admin. Code R746-349-7(A)(3) and in light of the comment of record, the Commission presumes the transfer of control to be in the public interest.

ORDER

Given the foregoing, the Commission approves GTT Americas, LLC and its direct parent company GTT Communications, Inc. to assume control of GC Pivotal, LLC d/b/a Global Capacity.

DATED at Salt Lake City, Utah, this 27th day of July, 2017.

/s/ Jennie T. Jonsson
Administrative Law Judge

Approved and confirmed this 27th day of July, 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#295541

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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.

CERTIFICATE OF SERVICE

I CERTIFY that on July 27, 2017, a true and correct copy of the foregoing was served upon the following as indicated below:

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