

In the Matter Of:

In Re: Sage Telecom Communications, LLC d/b/a TruConnect - Petition for ETC Des

HEARING, DOCKET NO. 18-2601-01

August 30, 2018

Job Number: 466831

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

Petition of Sage Telecom)
Communications, LLC, dba) Docket No.
TruConnect for Designation) 18-2601-01
as an Eligible)
Telecommunications Carrier) HEARING
in the State of Utah)
)

August 30, 2018
9:00 a.m.

Location: Utah Public Service Commission
160 East 300 South, 4th Floor
Salt Lake City, UT 84111
Job No. 466831

Reporter: Teri Hansen Cronenwett
Certified Realtime Reporter, Registered Merit Reporter

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1 August 30, 2018

2 P R O C E E D I N G S

3 PRESIDING OFFICER HAMMER: All right,
4 everyone. Let's go on the record. This is the time and
5 place noticed for a hearing in the matter of the
6 Petition of Sage Telecom Communications LLC dba
7 TruConnect for designation as an eligible
8 telecommunications carrier in the state of Utah. That's
9 Commission Docket No. 18-2601-01.

10 My name is Michael Hammer, and I'm the
11 commission's designated presiding officer. Let's go
12 ahead and take appearances please beginning with the
13 Division of Public Utilities.

14 MR. JETTER: Good morning. I'm Justin Jetter
15 with the Utah Attorney General's office, and I am here
16 this morning representing the Utah Division of Public
17 Utilities. With me at counsel table is division witness
18 Casey Coleman.

19 PRESIDING OFFICER HAMMER: Mr. Moore?

20 MR. MOORE: Robert Moore with the AG's office
21 representing the Office of Consumer Services. With me
22 is Cheryl Murray of the Office of Consumer Services.

23 PRESIDING OFFICER HAMMER: And I understand we
24 have appearances from Sage Telecom over the telephone.

25 MR. JOHNSON: Yes. This is Nathan Johnson

1 co-CEO --

2 COURT REPORTER: I'm sorry. I didn't hear
3 what he said.

4 PRESIDING OFFICER HAMMER: Sir, would you
5 repeat yourself? Our court reporter didn't quite hear
6 you.

7 MS. ZACK: Yes. This is Nathan Johnson,
8 co-CEO of Sage Telecom, TruConnect.

9 PRESIDING OFFICER HAMMER: Are there
10 additional parties on the line?

11 MS. ZACK: Just Katie Zack. I was already on.

12 PRESIDING OFFICER HAMMER: All right. And
13 does the company intend to present a witness
14 telephonically?

15 MS. ZACK: Yes. This is Katie Zack, and I am
16 representing Sage Telecom, which does business as
17 TruConnect, and I would like to ask Mr. Johnson a couple
18 of questions if that's okay.

19 PRESIDING OFFICER HAMMER: Any objection to
20 the telephonic examination, Counsel?

21 MR. JETTER: None from the division. I think
22 we just need to swear him in.

23 PRESIDING OFFICER HAMMER: Of course.

24 MR. MOORE: No objection.

25 PRESIDING OFFICER HAMMER: All right.

1 Ms. Zack, you want to call Mr. Johnson as a witness; is
2 that correct?

3 MS. ZACK: Yes.

4 PRESIDING OFFICER HAMMER: Mr. Johnson, do you
5 swear to tell the truth?

6 THE WITNESS: Yes, I do.

7 PRESIDING OFFICER HAMMER: Go ahead.

8 NATHAN RAYMOND JOHNSON,
9 was called as a witness, and having been first duly
10 sworn to tell the truth testified as follows:

11 EXAMINATION

12 BY MS. ZACK:

13 Q. Mr. Johnson can you state your full name,
14 please.

15 A. Nathan Raymond Johnson.

16 Q. And what is your position at Sage Telecom?

17 A. I am the co-CEO and owner of the company,
18 along with my brother Matt Johnson, who is the other
19 co-CEO.

20 Q. Thank you. Can you provide a brief
21 description of Sage?

22 A. Yes. We are an ETC provider of wireless
23 service in approximately 20 states, and it's been
24 growing over the last year. So we currently are
25 concentrated, our customer base, in California and

1 Texas. And we're expanding in a number of other states
2 or we have expanded in a number of other states through
3 this year and part of last year as well.

4 Q. Thank you. And you filed testimony previously
5 in this matter, correct?

6 A. That is correct.

7 Q. And would your answers to those questions be
8 substantially similar today if asked?

9 A. Yes, they would be.

10 Q. And what is your request for the commission
11 today?

12 A. Our request is for approval of an ETC carrier
13 in the state of Utah.

14 Q. Thank you. And in this matter, Sage Telecom,
15 we submitted a petition, prefiled testimony and exhibits
16 that describe its application. And the parties have
17 entered into a stipulation settlement agreement dated
18 July 20th, 2018. The stipulation states that the
19 parties agree that this stipulation as a whole is just
20 and reasonable in results and in the public interest.

21 Mr. Johnson, do you agree with that statement?

22 A. Yes, I do.

23 MS. ZACK: I have nothing further for
24 Mr. Johnson.

25 PRESIDING OFFICER HAMMER: Mr. Jetter, any

1 questions?

2 MR. JETTER: I have no questions from the
3 division. Thank you.

4 PRESIDING OFFICER HAMMER: Mr. Moore?

5 MR. MOORE: No questions from the office.

6 PRESIDING OFFICER HAMMER: Ms. Zack, before we
7 excuse your witness, do you want to just maybe ask him
8 some questions concerning the settlement stipulation? I
9 can do it, but if he could just give a summary or give
10 us some background on that, I think that would be
11 helpful for me.

12 MS. ZACK: Sure. So part of the -- can you
13 give me one second. I am just going to turn to the
14 appropriate page.

15 PRESIDING OFFICER HAMMER: Sure.

16 MS. ZACK: On April 4th, 2018, Sage filed a
17 petition seeking designation of an ETC in the state of
18 Utah. As part of that, it's -- I'm sorry?

19 PRESIDING OFFICER HAMMER: No one said
20 anything.

21 MS. ZACK: As part of that, we signed a
22 stipulation and settlement agreement that we agreed to
23 many things. But some of them were that we would use --
24 that Sage would use a Utah-specific fact sheet that
25 provides customers concise and complete information

1 about the services, that they are not seeking any state
2 USC -- USF funding, that if they do so in the future,
3 they will file a separate application requesting such
4 state support, that they will comply with all applicable
5 state service quality and consumer protection
6 requirements, and that Sage meets and will continue to
7 meet the requirements for federal ETC designation.

8 And we would be happy to answer further
9 questions.

10 PRESIDING OFFICER HAMMER: Well, let me just
11 ask, Mr. Johnson, are you familiar with this settlement
12 stipulation that was filed with the commission that's
13 dated July 20th, 2018?

14 THE WITNESS: Yes, I am.

15 PRESIDING OFFICER HAMMER: And the signature
16 for Sage Telecom is represented by Burton F. Peebles.
17 Do you know who that is?

18 THE WITNESS: Yes, I do.

19 PRESIDING OFFICER HAMMER: And does he have
20 authorization and authority for the company to execute
21 this settlement stipulation?

22 THE WITNESS: Yes, he does.

23 PRESIDING OFFICER HAMMER: Okay. I don't have
24 any other questions. Thank you. Anything else,
25 Ms. Zack?

1 MS. ZACK: No, nothing from me, thank you.

2 PRESIDING OFFICER HAMMER: Mr. Jetter?

3 MR. JETTER: Good morning. The division would
4 like to call and have sworn in Mr. Casey Coleman.

5 PRESIDING OFFICER HAMMER: Mr. Coleman, do you
6 swear to tell the truth?

7 THE WITNESS: Yes.

8 PRESIDING OFFICER HAMMER: Thank you.

9 CASEY J. COLEMAN,
10 was called as a witness, and having been first duly
11 sworn to tell the truth, testified as follows:

12 EXAMINATION

13 BY MR. JETTER:

14 Q. Mr. Coleman, would you please state your name
15 and occupation for the record.

16 A. Sure. My name is Casey J. Coleman. I work as
17 a utility technical consultant for the Division of
18 Public Utilities for the State of Utah.

19 Q. Thank you. And in the course of your
20 employment with Division of Public Utilities, have you
21 had the opportunity to review the application and
22 conduct any further discovery and conversations with the
23 company regarding this application?

24 A. Yes.

25 Q. And are you familiar with the settlement

1 stipulation that was filed in this docket?

2 A. Yes.

3 Q. Based on the information that you have from
4 the application and other discovery in this docket, do
5 you believe that it's just, reasonable in the -- and in
6 the public interest to approve the stipulation as filed?

7 A. Yes, I do.

8 Q. Are you aware of any opposition or reasons
9 that the commission should not approve this application?

10 A. No.

11 Q. Thank you.

12 MR. JETTER: I have no further questions.

13 Mr. Coleman's available for cross-examination.

14 PRESIDING OFFICER HAMMER: Ms. Zack, any
15 questions?

16 MS. ZACK: I have none. Thank you.

17 PRESIDING OFFICER HAMMER: Mr. Moore?

18 MR. MOORE: No questions from the office.

19 PRESIDING OFFICER HAMMER: And I have nothing.
20 Thank you, Mr. Coleman. No other witnesses, Mr. Jetter?

21 MR. JETTER: No other witnesses, thanks.

22 PRESIDING OFFICER HAMMER: Mr. Moore?

23 MR. MOORE: The office would call and ask to
24 have sworn in Cheryl Murray.

25 PRESIDING OFFICER HAMMER: Ms. Murray, do you

1 swear to tell the truth?

2 THE WITNESS: Yes.

3 CHERYL MURRAY,

4 was called as a witness, and having been first duly
5 sworn to tell the truth, testified as follows:

6 EXAMINATION

7 BY MR. MOORE:

8 Q. Could you please state your name, business
9 address and whom you represent in this docket?

10 A. My name is Cheryl Murray. My address is 160
11 East 300 South, Salt Lake City, and I represent the
12 Office of Consumer Services.

13 Q. And in your capacity as a utility advisor at
14 the office, did you participate in the settlement
15 discussions resulting in the stipulation being
16 considered today?

17 A. Yes, I did.

18 Q. Is the application that Sage is seeking -- in
19 the application is Sage seeking US -- Utah USF support
20 funding?

21 A. No, it is not.

22 Q. Have you prepared a statement which you would
23 like to offer as your testimony regarding the
24 stipulation?

25 A. Yes.

1 **Q. Please proceed.**

2 A. The Office of Consumer Services is responsible
3 for assessing the effect of utility rate changes and
4 regulatory actions upon residential and small commercial
5 customers. It is with that responsibility in mind that
6 we have evaluated TruConnect's request for limited
7 designation as an ETC for the purpose of providing
8 Lifeline service to qualified residential customers in
9 Utah.

10 The office recognizes that low income persons
11 need access to telephone service and in general supports
12 the ability to receive that access through wireless
13 telephone service. In assessing TruConnect's request,
14 we considered both the benefits to the low income
15 customers and the money that will be collected from
16 telecommunications customers necessary to fund the
17 Lifeline program.

18 To determine whether or not the office could
19 support TruConnect's request, we reviewed the petition,
20 testimony and exhibits provided by the applicant. We
21 also submitted data requests and had discussions with
22 company representatives. Subsequent to our review of
23 this information, the parties entered into the
24 stipulation and settlement agreement being presented
25 today.

1 In the office's judgment the settlement is
2 just and reasonable in result and in the public
3 interest, and we recommend that the commission approve
4 it.

5 **Q. Are you aware of any opposition to this**
6 **settlement?**

7 A. No, I am not.

8 MR. MOORE: That concludes my questions.

9 PRESIDING OFFICER HAMMER: Thank you.
10 Ms. Zack, any questions?

11 MS. ZACK: No. Thank you.

12 PRESIDING OFFICER HAMMER: Mr. Jetter?

13 MR. JETTER: No, thank you.

14 PRESIDING OFFICER HAMMER: Mr. Moore, you have
15 no other witnesses?

16 MR. MOORE: No other witnesses.

17 PRESIDING OFFICER HAMMER: All right. Is
18 there anything else from any party before we adjourn?

19 MR. JETTER: Nothing for the division.

20 MR. MOORE: Nothing from the office.

21 PRESIDING OFFICER HAMMER: Ms. Zack?

22 MS. ZACK: Nothing from this side, no.

23 PRESIDING OFFICER HAMMER: All right. Thank
24 you everyone. We're adjourned.

25 (The hearing concluded at 9:13 a.m.)

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C E R T I F I C A T E

STATE OF UTAH)
COUNTY OF SALT LAKE)

THIS IS TO CERTIFY that the foregoing proceedings were taken before me, Teri Hansen Cronenwett, Certified Realtime Reporter, Registered Merit Reporter and Notary Public in and for the State of Utah.

That the proceedings were reported by me in Stenotype, and thereafter transcribed by computer under my supervision, and that a full, true, and correct transcription is set forth in the foregoing pages, numbered 5 through 256 inclusive.

I further certify that I am not of kin or otherwise associated with any of the parties to said cause of action, and that I am not interested in the event thereof.

WITNESS MY HAND and official seal at Salt Lake City, Utah, this 10th day of September, 2018.



Teri Hansen Cronenwett, CRR, RMR
License No. 91-109812-7801

My commission expires:
January 19, 2019

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