



State of Utah

GARY R. HERBERT
Governor

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Lieutenant Governor

Public Service Commission

THAD LeVAR
Chair

DAVID R. CLARK
Commissioner

JORDAN A. WHITE
Commissioner

August 9, 2019

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

Re: Docket No. 19-2202-01, *Electric Lightwave, LLC - Joint Application of Zayo Group, LLC, and Front Range TopCo, Inc. for Approval to Transfer Indirect Control of Zayo Group, LLC and Electric Lightwave, LLC to Front Range TopCo, Inc.*

Docket No. 19-2536-01, *Zayo Group, LLC - Joint Application of Zayo Group, LLC, Electric Lightwave, LLC, and Front Range TopCo, Inc. for Approval to Transfer Indirect Control of Zayo Group, LLC and Electric Lightwave, LLC to Front Range TopCo, Inc.*

Dear Mr. Evans,

The Public Service Commission (PSC) has reviewed the Joint Application for Approval to Transfer Indirect Control (“Joint Applications”) that Zayo Group, LLC, Electric Lightwave, LLC, and Front Range TopCo (“Parties”) filed on July 9, 2019. The PSC has also reviewed the Division of Public Utilities’ (DPU) comments, filed July 25, 2019, recommending the PSC allow the indirect transfer of control and requesting that this docket be adjudicated informally in accordance with R746-110-1.

The Joint Application represents the Parties have entered into and intend to consummate a transaction whereby Front Range TopCo will acquire ultimate control of Zayo Group, LLC and Electric Lightwave, LLC, which are telecommunications corporations authorized to provide facilities-based and resold competitive local exchange telecommunications services in the State of Utah. The Joint Application requests the PSC’s approval of the proposed transfer of indirect control, to the extent such approval is necessary. The DPU’s comments do not address whether PSC approval of the transaction is required but, nevertheless, recommend 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 Joint

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Application 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.

Sincerely,

/s/ Gary L. Widerburg

PSC Secretary

DW#309496