



State of Utah
Department of Commerce
Division of Public Utilities

FRANCINE GIANI
Executive Director

CHRIS PARKER
Director, Division of Public Utilities

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Lieutenant Governor

MEMORANDUM

To: Public Service Commission

From: Division of Public Utilities
Chris Parker, Director
Artie Powell, Division Manager
Ron Slusher, Utility Technical Consultant

Date: September 13, 2019

Re: In the Matter of the Amended Application of Access Point, Inc. to cancel its Certificate of Public Convenience and Necessity to provide Local Exchange Services in the State of Utah, Docket No. 19-2488-01.

RECOMMENDATION (Approve):

The Division of Public Utilities (“Division”) has reviewed the Amended Application by Access Point, Inc. to have its Certificate of Public Convenience and Necessity (“CPCN”) to provide Local Exchange Services in the State of Utah cancelled and recommends the Public Service Commission (“Commission”) grant this request.

It appears Access Point has complied with the rules for exiting as required under Administrative Rule R746-350 and the new Utah Code Ann. § 54-8b-3.4.

The Division expects that, based on history that a filing of this type and with the information submitted by the company, there will be no objections or opposition to this recommendation. Therefore, the Division requests that this docket be adjudicated informally in accordance with Administrative Rule R746-110-1.

EXPLANATION:

On or about September 10, 2019, Access Point, Inc. (“Access Point”) filed an Amended Application with the Commission to have its CPCN cancelled. The Division has reviewed this request and found the following:

Access Point, Inc. was issued a Certificate to provide telecommunications services in Utah on October 07, 2008 in Docket No. 08-2488-01.

Based on the filing, Access Point transferred assets and customers to GTT Americas, LLC on or about October 01, 2018. GTT Americas, LLC then assigned said assets and customers to a subsidiary, GC Pivotal, LLC. GC Pivotal, LLC was issued a Certificate to provide telecommunications services in Utah on April 20, 2011 in Docket No. 11-2539-01.

It appears Access Point has complied with the rules for exiting as required under Administrative Rule R746-350 and the new Utah Code Ann. § 54-8b-3.4.

The Applicants submit that the transaction will be conducted in a manner that will be largely transparent to their customers. The transaction will not result in the discontinuance, reduction, loss, or impairment of service to customers.

cc: Mike Winston, President, Access Point, Inc.
Sharon Thomas, Intererra Consulting Group, Inc.
Justin Jetter, Assistant Attorney General, State of Utah
Office of Consumer Services, State of Utah