



State of Utah

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Public Service Commission

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Commissioner

February 25, 2019

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

Re: Docket No. 19-2591-01, Notice of Transfer of Indirect Control of SummitIG Utah, LLC

Dear Mr. Evans,

The Public Service Commission (“PSC”) has reviewed Summit Infrastructure Group, Inc. (“SummitIG”) and SDC Summit Holdings, LLC (“SDC Holdings” and with SummitIG, the “Parties”) Notice of Transfer of Indirect Control of SummitIG (“Notice”), filed January 4, 2019. The PSC has also reviewed the Division of Public Utilities’ (“DPU”) comments, filed January 28, 2019, recommending the PSC allow the indirect transfer of control.

The Notice represents the Parties have entered into and intend to consummate a transaction whereby SDC Holdings will acquire ultimate control of SummitIG and its wholly-owned subsidiary SummitIG Utah, LLC (“SummitIG Utah”). The Notice does not request the PSC’s approval of the transaction, rather the 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 assert PSC approval is, therefore, not required. The DPU’s comments do not address whether PSC approval of the 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#306782