



State of Utah  
Department of Commerce  
Division of Public Utilities

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*Director, Division of Public Utilities*

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**MEMORANDUM**

**To:** Public Service Commission

**From:** Division of Public Utilities  
Chris Parker, Director  
Bill Duncan, Telecommunications / Water Manager  
Ron Slusher, Utility Technical Consultant

**Date:** March 04, 2019

**Re:** In the Matter of the Application of NGA 911, LLC for a Certificate of Public Convenience and Necessity to Provide Telecommunications Services in the State of Utah, Docket No. 19-2612-01.

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**RECOMMENDATION (Approve):**

The Division of Public Utilities (“Division”) has reviewed the technical, managerial, and financial abilities of the NGA 911, L.L.C. and has found that they have provided the necessary information to fulfill the requirements as stated in the existing Public Service Commission (“Commission”) rules. The public interest will be promoted by the Commission granting NGA 911, L.L.C. a Certificate of Public Convenience and Necessity (“CPCN”) as requested under the same terms and conditions allowed in other CPCNs.

The Division also recommends that the \$100,000 bond be waived on the basis that the Applicant will not collect customer deposits or offer local access line (dial tone) services in Utah.

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

**EXPLANATION:**

On or about February 07, 2019, NGA 911, L.L.C. ("NGA 911 or Applicant") filed an application for a CPCN. The Division reviewed the application and found the following:

NGA 911, L.L.C. is a registered foreign corporation within the State of Utah; with its corporate headquarters located at 8383 Wilshire Blvd., Suite 800, Beverly Hills, California 90211.

NGA 911 seeks statewide authority to serve and work collaboratively with potential Public Safety Answering Points ("PSAP"), voice-over internet protocol ("VoIP") providers, Incumbent Local Exchange Carriers ("ILEC"), wireless providers, Competitive Local Exchange ("CLEC") carriers, and/or other local 9-1-1 authorities. NGA 911 plans to serve PSAPs who seek to transition from their existing legacy network to an NG9-1-1 network or who seek network components in connection with their 9-1-1 call handling systems.

Applicant does not intend to provide local access line (dial tone) services. As such, Applicant will not be providing access to local exchange, toll, operator services, directory assistance, and directory listings.

Applicant does not currently own facilities or property in the State of Utah, but will acquire or construct facilities in the state as necessary in order to provide its services. To facilitate deployment of services, Applicant intends to obtain interconnection agreements and/or other agreements with competitive carriers or incumbent local exchange carriers, as permitted under the Telecommunications Act of 1996, 47 U.S.C. § 251(c).

Summaries of professional experience and education of its managerial personnel demonstrate that the Applicant has considerable experience in the telecommunications industry.

According to financial statements attested to be accurate, objective and with integrity by Michelle Bland, Senior Vice President, Operations, of NGA 911, L.L.C. the Applicant has a positive net worth and has ample working capital.

Applicant will not collect customer deposits or offer local access line (dial tone) services in Utah. Therefore, Applicant respectfully requests waiver of the bond requirement.

The Applicant is currently authorized to provide services in California, Texas, and West Virginia.

Applicant does not provide dial tone services, thus applicant has not received complaints or investigations of unauthorized switching, otherwise known as slamming, or other illegal activities in any jurisdiction.

Applicant maintains that the issuance of a Certificate of Public Convenience and Necessity ("CPCN") is in the public interest. Applicant seeks to secure a CPCN primarily to offer 9-1-1 emergency services to government and quasi-government Public Safety Answering Points throughout Utah. Issuance of a CPCN will accelerate the development and deployment of Next Generation 911 services and promote more robust public safety offerings that will benefit and protect Utah residents.

cc: Lance J.M. Steinhart, Esq., Attorney for NGA 911, L.L.C.  
Michelle Bland, Senior Vice President, Operations, NGA 911, L.L.C.  
Justin Jetter, Assistant Attorney General, State of Utah  
Office of Consumer Services, State of Utah