

Kira M. Slawson (7081)  
BLACKBURN & STOLL, LC  
257 East 200 South, Suite 800  
Salt Lake City, Utah 84111  
Telephone (801) 521-7900

Attorneys for Utah Rural Telecom Association

**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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In the Matter of the Application of Utah  
Broadband LLC for a Certificate of Public  
Convenience and Necessity to Provide  
Facilities Based and Resold Local, Exchange,  
Access, and Interexchange  
Telecommunications Services within the State  
of Utah

**COMMENTS OF UTAH RURAL  
TELECOM ASSOCIATION**

DOCKET NO. 19-2614-01

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The Utah Rural Telecom Association (“URTA”), on behalf of itself and URTA members All West Communications, Inc., Bear Lake Communications, Inc., Beehive Telephone Company, Carbon/Emery Telcom, Inc., Central Utah Telephone, Inc., Direct Communications Cedar Valley, LLC, Emery Telephone, Hanksville Telcom, Inc., Manti Telephone Company, Skyline Telecom, South Central Utah Telephone Association, Inc., UBTA-UBET Communications Inc. dba Strata Networks, and Union Telephone Company (“Members” or “URTA Members”) hereby files Comments in the above-entitled matter.

**COMMENTS OF URTA**

1. The URTA Members are local exchange carriers providing public telecommunications services in Utah pursuant to certificates of public convenience and necessity (“CPCNs”) issued by the Commission.

2. On July 9, 2019 Utah Broadband, LLC (“Utah Broadband”) filed an Application

for CPCN to Provide Facilities Based and Resold Local Exchange, Access, and Interexchange Telecommunications Services in the State of Utah (the “Application”).

3. The Application does not meet the standards set forth in Utah Code 54-8b-2.1 or Utah Administrative Rules R746-349-3, and therefore, the Application should be denied.

4. Specifically, Utah Broadband’s Application appears to be deficient in at least the following ways:

a. Utah Broadband does not appear to be providing local exchange service or other public telecommunications service;

b. Utah Broadband’s Application is not supported by testimony or exhibits that show it has the technical, financial, and managerial abilities to provide telecommunications services;

c. Utah Broadband’s Application does not demonstrate that granting a CPCN is in the public interest;

d. Utah Broadband’s Application does not adequately identify any public telecommunications services to be provided, and does not adequately identify the areas in Utah where such services would be provided;

e. Utah Broadband’s Application does appear to include an organizational chart; chart of accounts; five-year projection; implementations schedule; proof of certification in other jurisdictions; a statement regarding complaints or investigations of unauthorized switching, or other illegal activities of Applicant; or adequate proof of authority to operate in Utah.

5. The Division of Public Utilities (“Division”) filed Comments in this docket on July 29, 2019 (“Comments”). In its Comments, the Division recommends denial of Utah

Broadband's Application on the grounds that the Application is not in compliance with Commission Rules and that Utah Broadband is not eligible for a CPCN based on the services to be provided.

7. URTA and its Members, as the incumbent local exchange providers in the rural areas of the State of Utah, have a substantial interest in this proceeding. URTA and its members object to the granting of this Application and further object to the informal adjudication of this Application. Additionally, URTA and its Members do not believe it is in the public interest to grant Utah Broadband's Application.

8. The interests of justice and the orderly conduct of these proceedings will not be impaired by allowing URTA and its Members' participation in this docket. Utah Broadband's Application was recently filed July 9, 2019, and the Comment period as set by the Commission runs through August 8, 2019 with Reply Comments due on or before August 23, 2019.

9. URTA and its Members request that copies of all notices and filings in this docket should be served on the following:

Kira M. Slawson  
BLACKBURN & STOLL, L.C.  
Attorneys for URTA and its Members  
257 East 200 South, Suite 800  
Salt Lake City, UT 84111  
Telephone: (801) 521-7900  
Facsimile: (801) 521-7965

### **CONCLUSION**

URTA and its Members appreciate the opportunity to provide Comments in this docket. URTA respectfully requests that the Commission deny this Application. To the extent the Application is not summarily denied, the Application should be adjudicated formally so that

URTA and its members may have the opportunity to intervene in this docket.

DATED this 30<sup>th</sup> day of July, 2019.

**BLACKBURN & STOLL, L.C.**



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Kira M. Slawson  
Attorneys for Utah Rural Telecom Association and  
Its Members

## CERTIFICATE OF MAILING

I hereby certify that on this 30<sup>th</sup> day of July, 2019, I caused to be mailed a true and correct copy of the foregoing COMMENTS OF UTAH RURAL TELECOM ASSOCIATION AND ITS MEMBERS by email to:

Justin Jetter  
Assistant Attorney General  
Division of Public Utilities  
[jjetter@utah.gov](mailto:jjetter@utah.gov)

William Duncan  
Division of Public Utilities  
[wduncan@utah.gov](mailto:wduncan@utah.gov)

Michele Beck  
Office of Consumer Services  
[mbeck@utah.gov](mailto:mbeck@utah.gov)

Robert Moore  
Assistant Attorney General  
Office of Consumer Services  
[rmoore@utah.gov](mailto:rmoore@utah.gov)

Jake Simon  
[jsimon@utahbroadband.com](mailto:jsimon@utahbroadband.com)

s/Kira M. Slawson  
Kira M. Slawson