

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Petition Regarding Internal Reorganization of Lingo Communications North, LLC and Matrix Telecom, LLC d/b/a Matrix Business Technologies d/b/a Trinsic Communications d/b/a VarTec Telecom d/b/a Excel Telecommunications d/b/a Startec d/b/a Lingo and Approval for Transfer of Customers	<u>DOCKET NO. 20-2452-01</u> <u>ORDER APPROVING REORGANIZATION, CANCELING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF LINGO NORTH, AND GRANTING WAIVER</u>
Lingo Communications North, LLC's Request to Cancel Certificate of Public Convenience and Necessity and Withdraw Tariffs	<u>DOCKET NO. 20-2563-01</u>

ISSUED: October 19, 2020

On July 31, 2020, Lingo Communications North, LLC (“Lingo North”), a direct subsidiary of Lingo Management, LLC (“Lingo Management”) and a wholly owned indirect subsidiary of Lingo Communications, LLC (“Lingo Communications”), and Matrix Telecom, LLC d/b/a Matrix Business Technologies d/b/a Trinsic Communications d/b/a VarTec Telecom d/b/a Excel Telecommunications d/b/a Startec d/b/a Lingo (“Matrix”), a wholly owned indirect subsidiary of Lingo Management and Lingo Communications, filed the same petition (“Petition”) with the Public Service Commission (PSC). Lingo North currently offers interexchange and local services in Utah and Matrix currently offers presubscribed interexchange and local services in Utah. Matrix and Lingo North will be referred to, together, as the “Parties.”

The Petition provided notice and seeks approval, to the extent necessary, of an internal corporate reorganization involving the Parties, and of the transfer of customers from Lingo North to Matrix in Docket Nos. 20-2563-01 and 20-2452-01. The Parties explain that approval of the Petition will result not only in a planned transfer of customers from Lingo North to Matrix but also in the cancellation of the Certificate of Public Convenience and Necessity (CPCN) of Lingo

North and any tariffs (price lists¹) on file with the PSC. The Petition further requests a waiver of any applicable slamming regulations regarding the transfer of customer bases.

On August 21, 2020, the Division of Public Utilities (DPU) filed memoranda in both dockets recommending the PSC approve the internal reorganization, transfer of customers, and cancellation of Lingo North's CPCN as requested. DPU observes that, as asserted by the Parties, approval of the Petition will serve the public interest by reducing costs and providing enhanced operational and economic efficiencies, and that the resulting savings will provide greater opportunities to improve the services available to Utah customers. DPU also notes the Parties' representation that customers will not incur any charges or changes in the services that they currently receive from Lingo North.

Based on the Petition, DPU's comments, the Parties' representations regarding no changes in charges or level of service to customers that will be transferred from Lingo North to Matrix, and there being no opposition, the PSC finds approval of the internal corporate reorganization (as described in Docket No. 20-2452-01) and the granting of a waiver to Utah Administrative Rule R746-349-5 is in the public interest. The PSC finds the cancellation of Lingo North's CPCN is also in the public interest. Accordingly, the internal corporate reorganization is approved, Lingo North's CPCN, issued on April 5, 2013, is canceled, and the requested waiver is granted, effective the date of this order.

¹ Competitive local exchange carriers do not file tariffs in Utah, rather they file price lists in accordance with Utah Code Ann. § 54-8b-2.3.

DATED at Salt Lake City, Utah, October 19, 2020.

/s/ Yvonne R. Hogle
Presiding Officer

Approved and Confirmed October 19, 2020, as the Order of the Public Service
Commission of Utah.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#315983

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this written order by filing a request for review or rehearing with the PSC within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the PSC fails to grant a request for review or rehearing within 30 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the PSC's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on October 19, 2020, a true and correct copy of the foregoing was served upon the following as indicated below:

By Email:

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