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State of Utah

Department of Commerce Division of Public Utilities

CHRIS PARKER
Interim Executive Director

CHRIS PARKER
Director, Division of Public Utilities

Memorandum

To: Public Service Commission of Utah

From: Utah Division of Public Utilities

Chris Parker, Director

Artie Powell, Manager

Brenda Salter, Utility Technical Consultant Supervisor

Ron Slusher, Utility Technical Consultant

Date: April 15, 2020

Re: **Docket No. 20-2617-01**, In the Matter of the Application of Intrado Communications, LLC for a Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Local Exchange Telecommunications Service within the State of Utah.

Recommendation (Approve)

The Division of Public Utilities (“Division”) has reviewed the technical, managerial, and financial abilities of Intrado Communications, LLC (“Intrado or Applicant”) and has found that it has 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 Intrado Communications, LLC 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 require customer deposits or prepayments of any kind.

The Division expects that based on history, a filing of this type 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.

Discussion

On or about April 06, 2020, Intrado Communications, LLC filed an application for a CPCN. The Division reviewed the application and found the following:

Intrado Communications, LLC is a registered foreign corporation within the State of Utah; with its corporate headquarters located at 3200 W. Pleasant Run Road, Suite 300, Lancaster, TX 75146.

Intrado seeks authority to offer interexchange telecommunications statewide. To the extent Intrado provides basic local exchange service, it will initially do so in the areas served by CenturyLink Communications, Inc. and does not plan to provide service in areas of any small or rural local exchange carriers having fewer than 5,000 access lines that are owned or controlled by an ILEC with fewer than 30,000 total access lines in accordance with Utah Code Ann. 54-8b-2.1 (3) and (4). However, Intrado does seek statewide authority so that it may expand into other services as market conditions warrant and as additional service areas become open to competition.

The Applicant initially proposes to offer services targeted at retail enterprise customers leveraging associations with these customers in other states where the Applicant is or will be certificated. It also proposes to provide wholesale services to other carriers.

The Applicant intends to provide services by using its own switching facilities as well as leased and resold transport facilities and services from the incumbent local exchange carriers and/or other carriers with such facilities. Intrado plans to interconnect with CenturyLink pursuant to the terms and conditions of an interconnection agreement that will be filed with the Commission in accordance with 47 U.S.C. Section 252.

The Applicant has no detailed timetable established for the commencement of local services, whether resold or facilities-based, in the State of Utah. The Company may begin offering service immediately upon obtaining appropriate authority.

Intrado will provide access to intraLATA and interLATA toll, operator services, directory assistance, directory listings, and emergency services such as 911 and E911 either through facilities-based interconnection or resale services purchased directly from the ILEC.

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 Christopher M. Malinowski, President, Intrado Communications, LLC, the Applicant has a positive net worth and has ample working capital.

The Applicant requests that the \$100,000 bond requirement be waived because it will not require customer deposits or prepayments of any kind.

The Applicant is currently authorized to provide local exchange telecommunications services in, Arizona, California, Colorado, Idaho, Nevada, and Wyoming.

The Applicant claims that it has never had any complaints nor has any investigation been undertaken against it or any of its affiliates involving unauthorized switching (slamming) or any other illegal activities. The Applicant also states that the company utilizes sales representatives to market its services and the company's marketing plan for Utah will be limited in nature. As such, the Company's exposure to unauthorized switching of customers is almost non-existent.

The Applicant asserts that approval of its application will serve the public interest creating and enhancing competition and expanding customer service options. Additionally, the approval of this application will expand the availability of innovative, high quality, reliable and competitively-priced telecommunications services in the State of Utah.

Conclusion

Based on the Division's review of the filing, we conclude the public interest will be promoted by the Commission granting Intrado Communications, LLC a CPCN and request the Commission approve the application.

Cc: Connie Wightman, Consultant to Intrado Communications, LLC, Inteserra Consulting Group, Inc.
Robert W. McCausland, Vice President, Regulatory and Government Affairs, Intrado Communications, LLC
Justin Jetter, Assistant Attorney General, State of Utah
Office of Consumer Services, State of Utah