

PUBLIC SERVICE COMMISSION OF UTAH

Docket No. 20-2620-01

PUBLIC HEARING

September 22, 2020

ADVANCED REPORTING SOLUTIONS

801-746-5080 | office@advancedrep.com | advancedrep.com

SALT LAKE | 159 West Broadway, Broadway Lofts, Suite 100 | Salt Lake City, Utah 84101

PROVO | 3507 North University Avenue, Suite 350-D | Provo, Utah 84604

ST. GEORGE | 20 North Main Street, Suite 301 | St. George, Utah 84770



1 BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

2 -ooOoo-

3 Petition of Uintah Basin :
4 Electronic :
5 Telecommunications, : DOCKET NO. 20-2620-01
6 L.L.C. for Designation :
7 as an Eligible :
8 Telecommunications :
9 Carrier in :
10 the State of Utah for the :
11 Purpose of Offering :
12 Lifeline Service on a :
13 Wireless Basis :
14 _____

10 TELECONFERENCE PUBLIC HEARING

12 Taken on Tuesday, September 22, 2020

13 at 9:01 a.m.

16 At Public Service Commission of Utah
17 160 East 300 South
18 4th Floor
19 Salt Lake City, Utah 84111

25 Reported by: Abigail D.W. Johnson, RPR, CRR, CRC

A P P E A R A N C E S

For UINTAH BASIN ELECTRONIC TELECOMMUNICATIONS, L.L.C.:

Kira M. Slawson
BLACKBURN & STOLL, LC
257 East 200 South
Suite 800
Salt Lake City, Utah 84111
kslawson@blackburn-stoll.com
(801) 521-7900

For the OFFICE OF CONSUMER SERVICES:

Robert Moore
ASSISTANT UTAH ATTORNEY GENERAL
160 East 300 South
5th Floor
Salt Lake City, Utah 84114
rmoore@agutah.gov
(801) 366-0260

For the DIVISION OF PUBLIC UTILITIES:

Justin Jetter
UTAH ATTORNEY GENERAL'S OFFICE
DIVISION OF PUBLIC UTILITIES
160 East 300 South
Salt Lake City, Utah 84114
jjetter@agutah.gov
(801) 336-0380

Also Present: John Hardy

-ooOoo-

1 September 22, 2020 9:01 a.m.

2 P R O C E E D I N G S

3 -o0o-

4 MS. HOGLE: Good morning, everyone. I'm
5 Yvonne Hogle, the Commission's designated presiding
6 officer in this case and for this hearing. Today is
7 September 22nd, 2020. And it is about 9:00 in the
8 morning.

9 This is the day and time set for the
10 hearing in the matter of the petition of Uintah Basin
11 Electronic Telecommunications, LLC for designation as
12 an eligible telecommunication carrier in the State of
13 Utah for the purpose of offering lifeline service on a
14 wireless basis.

15 Let's take appearances for the record,
16 please, beginning with the Applicant.

17 MS. SLAWSON: This is Kira Slawson with
18 Blackburn & Stoll representing the Applicant. And with
19 me on the phone, I have got Karl Searle who will be the
20 witness for the Applicant.

21 MS. HOGLE: Thank you, Ms. Slawson.

22 From the Division of Public Utilities?

23 MR. JETTER: Good morning. This is Justin
24 Jetter with the Utah Attorney General's Office, and I
25 am here this morning representing the Utah Division of

1 Public Utilities.

2 MS. HOGLE: From the Office of Consumer
3 Services?

4 MR. MOORE: Yes. This is Robert Moore of
5 the Attorney General's Office representing the Office
6 of Consumer Services. As the Office's witness, we have
7 Alex Ware.

8 MS. HOGLE: Thank you, Mr. Moore.

9 Okay. The parties in the case have reached
10 an agreement in this case through stipulation, which I
11 believe you're all prepared to support today.

12 And before I proceed, who just joined us,
13 please?

14 MR. COLEMAN: This is Casey Coleman with
15 the Division of Public Utilities.

16 MS. HOGLE: Okay. Thank you, Mr. Coleman.
17 Can the Applicant please call your witness?

18 MS. SLAWSON: Yes. We would call Karl
19 Searle.

20 THE WITNESS: I'm here.
21 Thereupon --

22 KARL SEARLE,
23 was called as a witness, and having been first duly
24 sworn to tell the truth, the whole truth, and nothing
25 but the truth, testified as follows:

1 MS. HOGLE: Please, proceed.

2 EXAMINATION

3 BY MS. SLAWSON:

4 Q. Please state your name, title and business
5 address for the record.

6 A. My name is Karl Searle. I'm the vice
7 president of finance at UBET Communications, the parent
8 company of Uintah Basin Electronic Telecommunications.
9 And my business address is 211 East 200 North,
10 Roosevelt, Utah.

11 Q. Mr. Searle, are you familiar with the
12 application filed in this, Docket No. 20-2620-01
13 requesting that Uintah Basin Electronic
14 Telecommunications, LLC be designated as an eligible
15 telecommunication carrier in Utah?

16 A. Yes.

17 Q. And was the petition or the application
18 prepared under your direction?

19 A. Yes, it was.

20 Q. And did you file testimony in this docket?

21 A. Yes. I filed that on July 15th of 2020.

22 Q. And if I were to ask you the same questions
23 contained in the testimony that you prefiled, would
24 your answers today be the same?

25 A. Yes.

1 MS. SLAWSON: Your Honor, at this point, I
2 would move for the admission of the direct testimony of
3 Karl Searle into the record.

4 MS. HOGLE: Do we have any objections from
5 anybody? No? Okay. They're admitted.

6 Q. (BY MS. SLAWSON) Mr. Searle, are you
7 familiar with the stipulation and settlement agreement
8 that was executed in this docket?

9 A. Yes, I am.

10 Q. And is all the information contained in the
11 stipulation true and correct to the best of your
12 knowledge?

13 A. Yes.

14 Q. Do you and the company's Applicant support
15 this stipulation of settle agreement and wish for it to
16 be entered into the record in this final order?

17 A. Yes, we do.

18 MS. SLAWSON: Your Honor, I would ask that
19 the stipulation and -- stipulation be admitted into the
20 record.

21 MS. HOGLE: Okay. Any objections from
22 anyone? Hearing none, it is admitted.

23 Q. (BY MS. SLAWSON) Mr. Searle, do you have
24 anything to add to the stipulation this morning?

25 A. No. The stipulation describes our service

1 offering and our qualifications. I believe it speaks
2 for itself.

3 Q. Thank you. The stipulation has a fact
4 sheet attached to it which the company has agreed to
5 make available for customers in Utah. I have fact
6 sheet answers/questions about the services that your
7 lifeline customers will receive. Is that fact sheet
8 currently available to the public?

9 A. Yes. As it says in the stipulation, we
10 will make the fact sheet available to customers,
11 prospective customers and to the public if the
12 Commission grants our application so we can provide
13 lifeline service.

14 MS. SLAWSON: Okay. I have no further
15 questions for this witness, but he is available for
16 cross-examinations or questions from the Commission.

17 MS. HOGLE: Mr. Jetter, do you have any
18 questions for Mr. Searle?

19 MR. JETTER: I don't. I don't have any
20 questions. Thank you.

21 MS. HOGLE: Mr. Moore, do you have any
22 questions for Mr. Searle?

23 MR. MOORE: No questions. Thank you.

24 MS. HOGLE: Okay. Mr. Searle, I just have
25 one question. A couple of questions, actually.

1 In your testimony, I did not hear you say
2 that you believed that the settlement stipulation is in
3 the public interest. So I am asking you that question:
4 Do you believe that the settlement stipulation is in
5 the public's interest?

6 A. Yes. As stated in our application, our
7 application was made in the public interest, and so the
8 stipulation continues that invested interest of the
9 public.

10 MS. HOGLE: Okay. And then the stipulation
11 itself, Subsection G, I think it's Section --
12 Paragraph 12, Subsection G, one of the conditions is
13 UBET intends to expand the area in which he offers
14 lifeline services in Utah. It will timely file a
15 notice with the Commission VP and OCS identifying and
16 requesting the approval for the expanded service area.
17 I just want to make sure I understand this correctly.
18 Is UBET not asking for -- to serve the entire State of
19 Utah in this case? And so -- if so, I was just
20 wondering about that specific provision. Why would you
21 need to expand the area further?

22 THE WITNESS: I don't know that there is
23 room to expand within the State of Utah. I agree with
24 your observation on that.

25 MS. HOGLE: Okay. I just -- I wanted to

1 make sure that my understanding was correct.

2 THE WITNESS: Yeah.

3 MS. HOGLE: I believed that to be the case,
4 but I just wanted to make sure.

5 THE WITNESS: I believe you are correct.

6 MS. HOGLE: Okay. I appreciate that.

7 Thank you very much. I don't have any other questions.

8 Ms. Slawson?

9 MS. SLAWSON: I don't have any other
10 questions for the witness either.

11 To address that issue in the stipulation, I
12 think probably it was a -- to be honest with you, a
13 holdover from a previous stipulation.

14 MS. HOGLE: Okay. Thank you. I'm okay. I
15 just wanted to make sure I understood everything
16 correctly that stood out to me. So I wanted to
17 clarify. Thank you. It's appreciated.

18 Okay. Let's go with the Division of Public
19 Utilities. Mr. Jetter?

20 MR. JETTER: Thank you. The Division would
21 like to call and have sworn in Casey Coleman as its
22 witness this morning.

23 MS. HOGLE: Good morning, Mr. Coleman.

24 THE WITNESS: Good morning.

25

1 Thereupon --

2 CASEY COLEMAN,
3 was called as a witness, and having been first duly
4 sworn to tell the truth, the whole truth, and nothing
5 but the truth, testified as follows:

6 MS. HOGLE: Okay, please proceed,

7 Mr. Jetter.

8 MR. JETTER: Thank you.

9 EXAMINATION

10 BY MR. JETTER:

11 Q. Mr. Coleman, would you please state your
12 name, and if you wouldn't mind, please spell out your
13 last name for the court reporter?

14 A. Sure. My name is Casey Coleman. And
15 that's C-o-l-e-m-a-n.

16 Q. Thank you. And would you also state your
17 occupation for the record?

18 A. Yes. I'm a utility technical consultant
19 for the Division of Public Utilities.

20 Q. Thank you. And in the course of your
21 employment with the Division, have you had the
22 opportunity to review the petition filed by Uintah
23 Basin, as well as the stipulated settlement agreement
24 in this docket?

25 A. Yes.

1 Q. And do you believe that approval of the
2 stipulated settlement agreement by the Commission would
3 be just and reasonable and in the public interest?

4 A. Yes.

5 Q. Are you aware of any opposition to the
6 approval of this application?

7 A. No, I'm not.

8 Q. Thank you.

9 MR. JETTER: I have no further questions.

10 Mr. Coleman is available for questions from
11 the Commission and cross from other parties.

12 MS. HOGLE: Thank you, Mr. Jetter.

13 Ms. Slawson, do you have any questions?

14 MS. SLAWSON: No questions.

15 MS. HOGLE: Mr. Moore, do you have any
16 questions?

17 MR. MOORE: No questions. Thank you.

18 MS. HOGLE: Okay. And I don't have any
19 questions for Mr. Coleman.

20 Thank you, Mr. Coleman.

21 THE WITNESS: You're welcome.

22 MS. HOGLE: Mr. Moore, do you want to call
23 your witness?

24 MR. MOORE: Yes, thank you. The Office of
25 Consumer Services calls Alex Ware and asks that he be

1 sworn.

2 Thereupon --

3 ALEX WARE,

4 was called as a witness, and having been first duly
5 sworn to tell the truth, the whole truth, and nothing
6 but the truth, testified as follows:

7 MS. HOGLE: Thank you, please proceed.

8 EXAMINATION

9 BY MR. MOORE:

10 Q. Could you please state your name, your
11 business address and how you're employed?

12 A. Yes, my name is Alex Ware. My business
13 address is 160 East 300 South, Salt Lake City, Utah.
14 I'm a utility analyst for the Office of Consumer
15 Services.

16 Q. In your capacity as a utility analyst for
17 the OCS, have you viewed the application and testimony
18 of this docket, 20-2620-01?

19 A. Yes, I have.

20 Q. Have you viewed and did you participate in
21 the negotiations of the settlement stipulation that is
22 the subject of this hearing?

23 A. Yes.

24 Q. Are you aware of any opposition to this
25 settlement stipulation?

1 A. No, I'm not.

2 Q. In your opinion, is the settlement
3 stipulation a just and reasonable result and in the
4 public interest?

5 A. Yes.

6 Q. Have you prepared a statement summarizing
7 the OCS's position on the settlement?

8 A. Yes.

9 Q. Please proceed.

10 A. Uintah Basin Electronic Communication has
11 petitioned in this case to be designated as an eligible
12 telecommunication carrier in the State of Utah as well
13 as participate in the Utah Universal Service Fund with
14 a lifeline program offering. UBET Utah lifeline
15 program offering of unlimited nationwide cell,
16 unlimited text and unlimited data exceeds the minimum
17 requirements for a wireless telecommunication provider
18 to receive Utah universal service funds for a lifeline
19 program. The Office believes that the stipulation for
20 the Commission is just and reasonable in result and in
21 the public interest and recommends that the Commission
22 approve it.

23 That is the end of my statement.

24 MR. MOORE: Mr. Ware is available for cross
25 and questions from the Commission.

1 MS. HOGLE: Thank you, Mr. Moore.

2 Ms. Slawson, do you have any questions for
3 Mr. Ware?

4 MS. SLAWSON: No questions for Mr. Ware.
5 Thank you.

6 MS. HOGLE: Mr. Jetter, any questions for
7 Mr. Ware?

8 MR. JETTER: I have no questions. Thank
9 you.

10 MS. HOGLE: I don't have any. I apologize.
11 I don't have any questions for Mr. Ware, either.

12 MR. MOORE: The OCS does have any more
13 questions.

14 MS. HOGLE: Thank you, Mr. Ware. Okay.
15 Thank you, Mr. Moore.

16 Okay. Anything else from anyone?

17 MS. SLAWSON: Nothing from the Applicants.

18 MR. MOORE: Nothing for the Division.

19 MR. JETTER: Nothing further from the OCS.

20 MS. HOGLE: Okay. Well, thank you,
21 everybody, for your testimony and for your time this
22 morning. I will be issuing an order soon. We are
23 adjourned. Thank you.

24 MR. JETTER: Thank you.

25 MS. SLAWSON: Thank you.

1 MR. MOORE: Thank you.

2 MS. HOGLE: Thanks, everyone.

3 (Concluded at 9:16 a.m.)

4 -o0o-

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REPORTER'S CERTIFICATE

STATE OF UTAH)
)
COUNTY OF SALT LAKE)

I, ABIGAIL D.W. JOHNSON, a Certified
Shorthand Reporter and Registered Professional
Reporter, hereby certify:

THAT the foregoing proceedings were
taken before me at the time and place therein set
forth, at which time the witness was placed under oath
to tell the truth, the whole truth, and nothing but the
truth; that the proceedings were taken down by me in
shorthand and thereafter my notes were transcribed
through computer-aided transcription; and the foregoing
transcript constitutes a full, true, and accurate
record of such testimony adduced and oral proceedings
had, and of the whole thereof.

I FURTHER CERTIFY that I am not a
relative or employee of any attorney of the parties,
nor do I have a financial interest in the action.

I have subscribed my name on this
28th day of September, 2020.



ABIGAIL D.W. JOHNSON, RPR, CRR, CRC

<hr/>	answers 5:24	8:15
<hr/>	answers/questions 7:6	Commission's 3:5
<hr/>	appearances 3:15	Communications 5:7
-o0o- 3:3	Applicant 3:16,18,20 4:17 6:14	company 5:8 7:4
<hr/>	application 5:12,17 7:12 8:6,7	company's 6:14
<hr/>	appreciated 9:17	conditions 8:12
1	approval 8:16	consultant 10:18
<hr/>	approval 8:16	Consumer 4:2,6
12 8:12	area 8:13,16,21	contained 5:23 6:10
15th 5:21	attached 7:4	continues 8:8
<hr/>	Attorney 3:24 4:5	correct 6:11 9:1,5
<hr/>	B	correctly 8:17 9:16
20-2620-01 5:12	<hr/>	couple 7:25
200 5:9	Basin 3:10 5:8,13 10:23	court 10:13
2020 3:1,7 5:21	basis 3:14	cross-examinations 7:16
211 5:9	beginning 3:16	customers 7:5,7,10,11
22 3:1	believed 8:2 9:3	<hr/>
22nd 3:7	Blackburn 3:18	D
<hr/>	business 5:4,9	<hr/>
<hr/>	C	day 3:9
9	C-O-L-E-M-A-N 10:15	describes 6:25
<hr/>	call 4:17,18 9:21	designated 3:5 5:14
9:00 3:7	called 4:23 10:3	designation 3:11
9:01 3:1	carrier 3:12 5:15	direct 6:2
<hr/>	case 3:6 4:9,10 8:19 9:3	direction 5:18
A	Casey 4:14 9:21 10:2,14	Division 3:22,25 4:15 9:18,20 10:19,21
<hr/>	clarify 9:17	docket 5:12,20 6:8 10:24
a.m. 3:1	Coleman 4:14,16 9:21,23 10:2,11,14	duly 4:23 10:3
add 6:24	Commission 7:12,16	<hr/>
address 5:5,9 9:11		E
admission 6:2		<hr/>
admitted 6:5,19,22		East 5:9
agree 8:23		
agreed 7:4		
agreement 4:10 6:7,15 10:23		
Alex 4:7		

Electronic 3:11 5:8,13	Honor 6:1,18	mind 10:12
eligible 3:12 5:14		Moore 4:4,8 7:21,23
employment 10:21	<hr/> I <hr/>	morning 3:4,8,23,25 6:24 9:22,23,24
entered 6:16	identifying 8:15	move 6:2
entire 8:18	information 6:10	
EXAMINATION 5:2 10:9	intends 8:13	<hr/> N <hr/>
executed 6:8	interest 8:3,5,7,8	North 5:9
expand 8:13,21,23	invested 8:8	notice 8:15
expanded 8:16	issue 9:11	
<hr/> F <hr/>	<hr/> J <hr/>	<hr/> O <hr/>
fact 7:3,5,7,10	Jetter 3:23,24 7:17,19 9:19,20 10:7,8,10	objections 6:4,21
familiar 5:11 6:7	joined 4:12	observation 8:24
file 5:20 8:14	July 5:21	occupation 10:17
filed 5:12,21 10:22	Justin 3:23	OCS 8:15
final 6:16		offering 3:13 7:1
finance 5:7	<hr/> K <hr/>	offers 8:13
<hr/> G <hr/>	Karl 3:19 4:18,22 5:6 6:3	Office 3:24 4:2,5
General's 3:24 4:5	Kira 3:17	Office's 4:6
Good 3:4,23 9:23,24	knowledge 6:12	officer 3:6
grants 7:12	<hr/> L <hr/>	opportunity 10:22
<hr/> H <hr/>	lifeline 3:13 7:7,13 8:14	order 6:16
hear 8:1	LLC 3:11 5:14	
hearing 3:6,10 6:22	<hr/> M <hr/>	<hr/> P <hr/>
Hogle 3:4,5,21 4:2,8,16 5:1 6:4,21 7:17,21,24 8:10,25 9:3,6,14,23 10:6	made 8:7	Paragraph 8:12
holdover 9:13	make 7:5,10 8:17 9:1,4, 15	parent 5:7
honest 9:12	matter 3:10	parties 4:9
		petition 3:10 5:17 10:22
		phone 3:19
		point 6:1
		prefiled 5:23

prepared 4:11 5:18		
president 5:7		
presiding 3:5		
previous 9:13		
proceed 4:12 5:1 10:6		
prospective 7:11		
provide 7:12		
provision 8:20		
public 3:22 4:1,15 7:8,11 8:3,7,9 9:18 10:19		
public's 8:5		
purpose 3:13		
<hr/> Q <hr/>	<hr/> S <hr/>	<hr/> T <hr/>
qualifications 7:1	Searle 3:19 4:19,22 5:6, 11 6:3,6,23 7:18,22,24	technical 10:18
question 7:25 8:3	Section 8:11	telecommunication 3:12 5:15
questions 5:22 7:15,16, 18,20,22,23,25 9:7,10	September 3:1,7	Telecommunications 3:11 5:8,14
<hr/> R <hr/>	serve 8:18	testified 4:25 10:5
reached 4:9	service 3:13 6:25 7:13 8:16	testimony 5:20,23 6:2 8:1
receive 7:7	services 4:3,6 7:6 8:14	time 3:9
record 3:15 5:5 6:3,16,20 10:17	set 3:9	timely 8:14
reporter 10:13	settle 6:15	title 5:4
representing 3:18,25 4:5	settlement 6:7 8:2,4 10:23	today 3:6 4:11 5:24
requesting 5:13 8:16	sheet 7:4,6,7,10	true 6:11
review 10:22	Slawson 3:17,21 4:18 5:3 6:1,6,18,23 7:14 9:8, 9	truth 4:24,25 10:4,5
Robert 4:4	speaks 7:1	<hr/> U <hr/>
room 8:23	specific 8:20	UBET 5:7 8:13,18
Roosevelt 5:10	spell 10:12	Uintah 3:10 5:8,13 10:22
	state 3:12 5:4 8:18,23 10:11,16	understand 8:17
	stated 8:6	understanding 9:1
	stipulated 10:23	understood 9:15
	stipulation 4:10 6:7,11, 15,19,24,25 7:3,9 8:2,4, 8,10 9:11,13	Utah 3:13,24,25 5:10,15 7:5 8:14,19,23
	Stoll 3:18	Utilities 3:22 4:1,15 9:19 10:19
	stood 9:16	utility 10:18
	Subsection 8:11,12	<hr/> V <hr/>
	support 4:11 6:14	vice 5:6
	sworn 4:24 9:21 10:4	VP 8:15

W

wanted 8:25 9:4,15,16

Ware 4:7

wireless 3:14

wondering 8:20

Y

Yvonne 3:5