

Kira M. Slawson
Blackburn & Stoll, LC
257 East 200 South, Suite 800
Salt Lake City, Utah 84111
Telephone: (801) 521-7900
E-Mail: kslawson@blackburn-stoll.com

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

**In the Matter of the Petition of Emery
Telecommunications & Video, Inc. for
Designation as an Eligible
Telecommunications Carrier in the State of
Utah for the Purpose of Receiving Rural
Digital Opportunities Fund and Lifeline
Support**

Docket No. 21-2272-01

**MOTION TO WITHDRAW PETITION OF EMERY TELECOMMUNICATIONS &
VIDEO, INC. FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS
CARRIER
IN THE STATE OF UTAH FOR THE PURPOSE OF
RECEIVING RURAL DIGITAL OPPORTUNITIES FUND AND LIFELINE SUPPORT**

On February 9, 2021 Emery Telecommunications & Video, Inc. (“ET&V”) filed Petition seeking designation as an eligible telecommunications carrier (“ETC”) in the State of Utah for the purpose of receiving Rural Digital Opportunities Fund and Lifeline Support (“Petition for ETC Designation”). ET&V and the Division of Public Utilities (“Division”) entered into a Stipulation and Settlement Agreement which was filed with the Utah Public Service Commission on April 8, 2021. The Hearing on the Settlement Stipulation is currently set for May 26, 2021 at 10:30 a.m.

As indicated in the Petition for ETC Designation Emery Telephone, the ultimate parent company of ET&V, was selected by the Federal Communications Commission (“FCC”) as a winning bidder in the Rural Digital Opportunity Fund (“RDOF”) to provide broadband and voice service in certain areas in Grand and San Juan Counties, Utah. Pursuant to the procedures developed by the FCC, Emery Telephone assigned the winning bids in Utah to its wholly owned subsidiary, Emery Telecommunications & Video, Inc. (“ET&V” or the “Company”). However, with the recent Commission Order issued May 10, 2021 (Amended May 12, 2021) approving the CPCNs for E Fiber Moab, LLC and E Fiber San Juan, LLC, Emery Telephone, with FCC approval, has reassigned the winning RDOF bids in Utah to E Fiber Moab, LLC and E Fiber San Juan, LLC (collectively the “E Fiber Entities”).

As a result, ET&V no longer needs ETC Designation for purposes of receiving RDOF Support hereby moves the Commission for withdrawal of its Petition for ETC Designation and cancelation of the hearing scheduled for May 26, 2021 at 10:30 a.m. The E Fiber Entities will be separately filing Petitions for ETC Designation with the Commission for purposes of receiving RDOF and Lifeline support.

Dated this 25th day of May, 2021.

BLACKBURN & STOLL, LC



Kira M. Slawson
Attorneys for Emery Telecommunications &
Video, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of May, 2021, I served a true and correct copy of Emery Telecommunications & Video, Inc.'s Motion to Withdraw Petition for Designation as an Eligible Telecommunications Carrier in the State of Utah for the Purpose of Receiving RDOF via e-mail transmission to following persons at the e-mail addresses listed below:

Utah Public Service Commission

PSC@Utah.gov

Division of Public Utilities

DPUDatarequest@utah.gov

Chris Parker chrisparker@utah.gov

Brenda Salter bsalter@utah.gov

Justin Jetter jjetter@ag.utah.gov

Office of Consumer Services

Michele Beck mbeck@utah.gov

Alyson Anderson akanderson@utah.gov

Robert Moore rmoore@ag.utah.gov



Kira M. Slawson