



Public Service Commission

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September 1, 2021

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Re: Docket No. 21-2530-01, *Notice of Indirect Change of Control of Mobilitie, LLC to BAI Communications US Holdings II, LLC*

All,

The Public Service Commission (PSC) has reviewed the joint notification of the Gary Jabara Revocable Trust and BAI Communications US Holdings II, LLC (“Applicants”) of the proposed indirect change of control (“Transaction”) of Mobilitie, LLC (“Mobilitie”), filed July 26, 2021 (“Notification”) pursuant to Utah Code Ann. § 54-8b-3.4(1)(b).

The Notification describes the Applicants, explains the Transaction, and asserts that the Transaction is in the public interest because a change in control will occur at the parent level only, and that Mobilitie will draw on the communications expertise of its new parent. The Notification states that PSC approval of the Transaction is not required because Mobilitie is a competitive entrant under Utah Code Ann. § 54-8b-3.4(1)(a).

The PSC also reviewed comments filed August 12, 2021 by the Division of Public Utilities (DPU). DPU recommends the PSC acknowledge the Notification and requests informal adjudication of the matter under Utah Admin. Code R746-110-1. DPU’s comments do not address whether PSC approval of the Transaction is required, but DPU recommends the PSC acknowledge the Notification, stating it will serve the public interest, and that the Applicants and Mobilitie complied with Utah Admin. Code R746-349-7.

Acknowledgment Letter from the PSC

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No party has identified a statutory or other legal requirement for the PSC to approve the Transaction, and no party has requested a declaratory ruling on the issue pursuant to Utah Admin. Code R746-101-1, et seq. Accordingly, the PSC acknowledges that the Notification was filed with the PSC and gives notice it will take no further action in this docket unless a party files a request for action and explains the basis on which the PSC may or should act.

Sincerely,

/s/ Gary L. Widerburg

PSC Secretary

DW#320150