



State of Utah

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Public Service Commission

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August 27, 2021

Joshua T. Guyan
Kelly Drye & Warren LLP
Washington Harbour, Suite 400
3050 K Street, NW
Washington, DC 20007

Re: Docket No. 21-2590-01, *Boomerang Wireless, LLC's Notice of Transfer of Control*

Dear Mr. Guyan,

The Public Service Commission (PSC) has reviewed the notification of Boomerang Wireless, LLC ("Boomerang") of the proposed change in material control filed July 7, 2021 and revised notice filed on July 22, 2021 ("Notification"). The PSC has also reviewed the Division of Public Utilities' (DPU) comments, filed July 26, 2021, recommending the PSC acknowledge the Notification.

The Notification describes the transaction and provides information regarding why Boomerang believes the proposed change in material control is in the public interest. The Notification states that approval of the proposed change in material control is not required, and that it submits the Notification purely for the PSC's information. DPU's comments do not address whether PSC approval of the transaction is required. DPU recommends the PSC acknowledge the Notification, stating the transaction will serve the public interest, and Boomerang is in compliance with Utah Admin. Code R746-349-7.

No party has identified a statutory or other legal requirement for the PSC to approve the change in material control, 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#320109