

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Petition of E Fiber San Juan, LLC for Declaratory Ruling or, in the Alternative, Petition for Designation as an Eligible Telecommunications Carrier on Tribal Locations in the State of Utah for the Purpose of Receiving Rural Digital Opportunity Fund and Lifeline Support	<u>DOCKET NO. 21-2619-02</u>
	<u>NOTICE</u>

ISSUED: September 13, 2021

On September 10, 2021, E Fiber San Juan, LLC filed with the Public Service Commission (PSC) the Petition of San Juan, LLC for Declaratory Ruling, or, in the Alternative, Petition for Designation as an Eligible Telecommunications Carrier in the State of Utah for the Purpose of Receiving Rural Digital Opportunity Fund and Lifeline Support in Tribal Areas (“Petition”).

The Petition states that the PSC issued a certificate of public convenience and necessity to E Fiber San Juan, LLC (“E Fiber”) to serve certain areas earlier this year,¹ and subsequently awarded E Fiber eligible telecommunications designation (ETC) status for such areas which did not include 89 tribal locations, described in the Petition, Exhibit 1 (“Tribal Locations”).² E Fiber indicates that since it was granted ETC status, E Fiber has consulted with the Ute Mountain Tribe (the “Tribe”) for permission to serve the Tribal Locations, but the Tribe continues to deny its request.³ E Fiber consequently asks the PSC to declare it will not exercise jurisdiction over ETC designation for the Tribal Locations. E Fiber claims this will facilitate its request for ETC designation from the Federal Communications Commission.

¹ Petition, at 2.

² *Id.*, at 3.

³ *Id.*

DOCKET NO. 21-2619-02

- 2 -

The PSC intends to grant the Petition and decline to exercise jurisdiction in this docket unless a person responds by **Friday, September 17, 2021**, indicating the person's intent to establish the basis on which the PSC should deny the Petition and exercise jurisdiction. A person who files that intention shall file, no later than **Wednesday, September 29, 2021**, a brief establishing the basis on which the PSC should deny the Petition and exercise jurisdiction.

DATED at Salt Lake City, Utah, September 13, 2021.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#320256

CERTIFICATE OF SERVICE

I CERTIFY that on September 13, 2021, a true and correct copy of the foregoing was served upon the following as indicated below:

By Email:

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