

- 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>ORDER</u>

ISSUED: September 23, 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 seeks a declaratory ruling from the PSC indicating that the PSC will not exercise jurisdiction over eligible telecommunications carrier (ETC) designation for certain areas involving 89 tribal locations (“Tribal Locations”). E Fiber San Juan, LLC desires to seek ETC status for the Tribal Locations from the Federal Communications Commission, rather than from the PSC.

The PSC provided interested persons an opportunity to comment on the Petition in the Notice issued September 13, 2021 in this docket. The Notice provided background that led to the Petition and indicated the PSC’s intent to grant the Petition and decline to exercise jurisdiction unless it received responses by September 17, 2021.

No person responded to the Notice by the September 17, 2021 deadline. Therefore, the PSC grants the Petition and declines to exercise jurisdiction over ETC designation for the Tribal Locations.

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DATED at Salt Lake City, Utah, September 23, 2021.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#320389

Notice of Opportunity for Agency Review or Rehearing

Pursuant to §§ 63G-4-301 and 54-7-15 of the Utah Code, an aggrieved party may request agency review or rehearing of this Order by filing a written request with the PSC within 30 days after the issuance of this Order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the PSC does not grant a request for review or rehearing within 30 days after the filing of the request, it is deemed denied. Judicial review of the PSC's final agency action may be obtained by filing a petition for review with the Utah Supreme Court within 30 days after final agency action. Any petition for review must comply with the requirements of §§ 63G-4-401 and 63G-4-403 of the Utah Code and Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on September 23, 2021, a true and correct copy of the foregoing was served upon the following as indicated below:

By Email:

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