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## UTAH DEPARTMENT OF COMMERCE

### Division of Public Utilities

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## Action Request Response

**To:** Public Service Commission of Utah

**From:** Utah Division of Public Utilities

Chris Parker, Director  
Artie Powell, Manager  
Brenda Salter, Utility Technical Consultant Supervisor  
Michael Healy, Utility Analyst

**Date:** June 13, 2022

**Re:** **Docket No(s). 22-042-T01, 22-2302-T01, 22-2303-T01, 22-2618-T01, 22-2619-T01, TARIFF REPLACEMENT** Emery Telephone d/b/a Emery Telcom, Carbon/Emery Telecom, Inc., Hanksville Telecom, Inc., E Fiber Moab, LLC, and E Fiber San Juan, LLC's Proposed Intrastate Access Tariff Revisions Request.

## Recommendation (Approve Tariff Sheets)

The Division of Public Utilities (Division) has reviewed the proposed tariff revisions and recommends the Public Service Commission (Commission) approve the Emery Telephone d/b/a Emery Telcom, Carbon/Emery Telecom, Inc., Hanksville Telecom, Inc., E Fiber Moab, LLC, and E Fiber San Juan, LLC's (Companies) requests to revise their tariff and 8YY Access Charge Rates. The Division therefore recommends the Companies' tariff changes become effective on July 1, 2022.

## Issue

On June 1, 2022, the Companies submitted to the Commission, Intrastate Access Tariff Advice Letters including revised tariff sheets, with the purpose of adding E Fiber Moab, LLC and E Fiber San Juan, LLC, wholly owned subsidiaries of Emery Telephone, to the tariff. The proposed revisions also include making edits and updates, correcting a rate element, and revising the tariff rates as required in the FCC's 8YY Access Charge Reform, Report and Order FCC 20-143, WC Docket No. 18-156, adopted October 7, 2020.<sup>1</sup> The

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<sup>1</sup> FCC Order 20-143, WC Docket No. 18-156 adopted October 7, 2020.

Commission issued an Action Request on June 1, 2022, for the Division to investigate the proposed changes and report its findings and recommendations to the Commission on June 15, 2022. This memorandum represents the Division's response to the Commission's Action Request.

## **Background**

In October 2020, the FCC adopted an order to modernize rules for toll free (8YY) calling. The order steps down 8YY originating access charges to a bill-and-keep system over a transition period beginning July 1, 2021, and ending July 1, 2023. Originating 8YY transport and tandem switching fees were combined to a single transport service rate capped at \$0.001 per minute effective July 1, 2021. Charges for 8YY database queries will also be transitioned to \$0.0002 over the three-year transition period. Additionally, the order combines separate 8YY transport and tandem switching charges into a single access charge.<sup>2</sup>

## **Discussion**

The revisions to the tariff include adding E Fiber Moab, LLC and E Fiber San Juan, LLC to the tariff in "Rates and Charges" on page 33, and in "Originating" on page 35. The rates for these entities are consistent with those of Emery Telephone and its other subsidiaries. Miscellaneous housekeeping changes were also incorporated into the tariffs.

Other revisions include a correction on page 35 to "Hanksville Originating Tandem Switched Termination" from \$0.002650 to \$0.0002650 due to a typographical error. Emery states that "no customers were charged the higher rate despite the misprint."

On page 41 of the tariff, the Central Office Maintenance Technician Rate was changed to \$37.50; the overtime technician rate to \$56.25; and the premium time technician rate to \$75.00. These changes were approved in the 2018 tariff but were omitted from page 41 of the tariff.

The Division reviewed the redlined versions of the tariff sheets submitted with the Companies' filings. The proposed rate for originating access for the Companies has been

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<sup>2</sup> Ibid p.2(4)

reduced by 50 percent as required by the stepdown reduction plan and appears to comply with the FCC's 8YY Reform Order. No other rates were affected by the order.

## **Conclusion**

The Division has reviewed the Companies' filings and has no objections to the proposed revisions and recommends the Commission approve the Companies' filings as submitted, with an effective date of July 1, 2022, as requested.

cc: Darren Woolsey, Carbon/Emery Telecom, Inc.  
Michele Beck, Office of Consumer Services