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## UTAH DEPARTMENT OF COMMERCE

### Division of Public Utilities

MARGARET W. BUSSE  
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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  
Ron Slusher, Utility Technical Consultant

**Date:** November 28, 2022

**Re:** **Docket No. 22-2638-02**, Notification Regarding the Proposed Transfer of Indirect Control of Skybeam, LLC dba Rise Broadband and JAB Wireless, Inc. to GI DI Iris Acquisition Inc.

### Recommendation (Acknowledge)

The Division of Public Utilities (“Division”) has reviewed the notification of the transfer of control of Skybeam, LLC dba Rise Broadband (“Skybeam”) and GI DI Iris Acquisition Inc. (“GI/DI”) (together the “Applicants”). The public interest will be promoted by the Public Service Commission (“Commission”) acknowledging this Transfer of Control. As a result of the transfer, the companies should be in a better position to provide expanded and advanced telecommunications services in the State of Utah.

The Division expects that, based on history that a filing of this type and with the information submitted by the company, there will be no objections or opposition to this recommendation. Therefore, the Division requests that this docket be adjudicated informally in accordance with R746-110-1.

Division of Public Utilities

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## **Discussion**

On or about November 10, 2022, Skybeam and GI/DI notified the Commission of a transaction, which will result in an indirect transfer of control of Skybeam to GI/DI.

Skybeam is registered Colorado corporation headquartered at 61 Inverness Drive East, Suite 250, Englewood, CO 80112. Skybeam was granted a Certificate of Public Convenience and Necessity (“CPCN”) on November 25, 2022, in Docket No. 22-2638-01. Skybeam is a wholly owned subsidiary of JAB Wireless, Inc. (“JAB Wireless”).

GI/DI is a newly formed company created for the purpose of completing the transaction. It is primarily owned and is controlled by private equity funds GI Data Infrastructure Fund LP and GI Data Infrastructure Fund-A LP.

The Applicants entered into a merger agreement on May 28, 2022, that will transfer JAB Wireless and its affiliates to GI/DI. As a result of the merger Skybeam will become a subsidiary of GI/DI. Skybeam will continue to operate under the same terms and agreements of its CPCN.

The Applicants submit that the transaction described herein will serve the public interest. The Applicants expect that the merger will enable the combined entities to better meet the needs of enterprises, wholesale buyers, and other customers. The transaction will bring together two successful carrier organizations that have proven themselves in a highly competitive marketplace. The transaction will help create a stronger competitor by bringing together each organization’s respective strengths. Operating as an integrated company will allow each of the operating companies to be more competitive and to deliver greater value and variety of services to their customers than they do individually.

The Applicants further submit that the transaction will be conducted in a manner that will be largely transparent to their customers. The transaction will not result in a change of carrier for customers or any assignment of authorizations, and in no event will it result in the discontinuance, reduction, loss, or impairment of service to customers.

## **Conclusion**

The Division has reviewed the notice filed by the Applicants for the transfer of control and concludes that the Applicants are in compliance with Commission Rule R746-349-7. The Division recommends the Commission acknowledge this notice.

cc: Stephen E. Coran, Lerman Senter PLLC  
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