

Application of MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services to Discontinue Telecommunications Services	<u>DOCKET NO. 23-095-01</u> <u>ORDER</u>
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ISSUED: January 29, 2024

BACKGROUND

On November 13, 2023, MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services (“MCImetro”) filed an application (“Application”) with the Public Service Commission of Utah (PSC) to discontinue basic local exchange services effective on or after December 31, 2023. MCImetro states that the affected customers started receiving notification of the discontinuance in August 2023. Additionally, MCImetro states it leased these local exchange services from incumbent local exchange carriers (ILEC) and therefore the affected customers can receive service through these ILECs.

On November 21, 2023, the Division of Public Utilities (DPU) recommended that the PSC approve the application. DPU represents that MCImetro indicates that it will discontinue providing basic local exchange services to approximately 19 residential customers. Additionally, DPU states that it reviewed the Application and concluded it complies with Utah Admin. Code R746-350-4.

On January 8, 2024, the PSC issued a Supplemental Action Request requesting DPU to verify that the Application “meets the requirements, and constitutes a

complete filing as defined[] in Utah Admin. Code R746-350-4.”¹ DPU responded on January 18, 2023, providing additional information that documents MCImetro’s meeting the requirements in Utah Admin. Code R746-350-3(B)(3) and Utah Admin. Code R746-350-4(D).

No other testimony or comments were filed in this docket.

FINDINGS AND CONCLUSIONS

Utah Admin. Code R746-350 *et seq.* provides the requirements that telecommunications corporations must adhere to in order to discontinue telecommunications service (“Exiting Provider”). Its intent is to provide customers of the Exiting Provider the opportunity to migrate their service to an alternative service or a different provider before the Exiting Provider’s discontinuance. DPU’s response to our Supplemental Action Request indicates that the Application is a complete filing as defined in Utah Admin. Code R746-350-4. However, the required affidavit² and acknowledgments³ are still missing from the Application. The PSC concludes that MCImetro has provided reasonable notice to its customers to allow them to migrate to a different service or to a different provider. Therefore, the PSC finds and concludes that it is reasonable to approve the Application on a conditional basis, but subject to MCImetro filing the missing information we reference above.

¹ Supplemental Action Request.

² Utah Admin. Code R746-350-4(A)(6).

³ Utah Admin. Code R746-350-4(A)(5)(a-c).

ORDER

Based on the findings and conclusions and considering that the Application is unopposed, the PSC conditionally approves the Application. MCImetro is directed to file with the PSC all other items identified herein that have not yet been provided. Once the foregoing has been filed and accepted by the PSC, the approval will no longer be conditional and will be final.

DATED at Salt Lake City, Utah, January 29, 2024.

/s/ David R. Clark, Commissioner

/s/ John S. Harvey, Ph.D., Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#332022

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this written order by filing a request for review or rehearing with the PSC within 30 days after the issuance of the 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 fails to grant a request for review or rehearing within 30 days after the filing of a request for review or rehearing, 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 Utah Code Ann. §§ 63G4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on January 29, 2024, a true and correct copy of the foregoing was served upon the following as indicated below:

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