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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  
Brenda Salter, Assistant Director  
Abdinasir Abdulle, Utility Technical Consultant Supervisor  
Jonathan Lee, Utility Analyst

**Date:** August 15, 2024

**Re:** **Docket No. 24-2646-01**, Petition of TruConnect Communications, Inc. for Designation as an Eligible Telecommunications Carrier in the State of Utah

## Recommendation: (Consider Amending Order)

On July 1, 2024, the Public Service Commission of Utah (Commission) issued an Action Request for the Division of Public Utilities (Division) to review the Ute Tribe's territorial assertion regarding the Commission's jurisdiction over TruConnect Communications, Inc.'s (TruConnect) designation as an Eligible Telecommunications Carrier (ETC) in the State of Utah. On July 15, 2024, the Division requested an extension of time to August 15, 2024. This is the Division's response.

On June 20, 2024, the Commission issued an order granting TruConnect's petition for designation as an ETC in Utah. Prior to this order, the Commission has granted several other telecommunications companies' request for statewide ETC designation in Utah, and these companies offered similar plans to TruConnect.

Even earlier this year, 2024, another telecom company offering similar non-tribal and tribal plans was granted statewide ETC designation. The Ute Tribe did not intervene or voice any concerns on that docket.

Division of Public Utilities

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Addressing the substance of the territorial issue in this docket may be neither necessary nor advisable. As noted, with multiple other recent filings seeking and obtaining statewide authority, and potentially more in the future, the Commission may not wish to attempt to resolve the territorial matters by direct decision in this docket. The Commission should consider whether it should amend the ETC designation in this case, with explicit language limiting its order to the extent of its jurisdiction. If the Commission wishes to directly address the issue of tribal and Commission jurisdiction, it should use a broader, more robust process for doing so. As such, the Division recommends that the Commission amend its Order to grant statewide ETC designation for the areas over which it has jurisdiction.

cc: Patrick Grecu, Assistant Attorney General  
Debra McGuire Mercer, TruConnect Communications, Inc.  
Robert Moore, Attorney for Office of Consumer Services