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# UTAH DEPARTMENT OF COMMERCE

## Division of Public Utilities

MARGARET W. BUSSE  
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*Division Director*

## 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  
Ron Slusher, Utility Technical Consultant

**Date:** July 29, 2024

**Re:** **Docket No. 24-2650-01**, In the Matter of the Application of Barr Tell USA, Inc. for a Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Local Exchange Telecommunications Service within the State of Utah.

## Recommendation (Approval)

The Division of Public Utilities (“Division”) has reviewed the technical, managerial, and financial abilities of Barr Tell USA, Inc. (“Barr Tell” or “Applicant”) and has found that it has provided the necessary information to fulfill the requirements as stated in the existing Public Service Commission (“Commission”) rules. The public interest will be promoted by recommending that the Commission approve Barr Tell a Certificate of Public Convenience and Necessity (“CPCN”) as requested under the same terms and conditions allowed in other CPCNs.

The Division also recommends that the \$100,000 bond be waived on the basis that the Applicant will not require customer deposits or prepayments of any kind.

Division of Public Utilities

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## **Discussion**

On July 01, 2024, Barr Tel filed its application for a CPCN. On or about July 15, 2024, Barr Tell filed a revised application. The Division reviewed the application and found the following:

Barr Tell is a registered foreign corporation within the State of Utah, with its corporate headquarters located at 218 East Park Avenue, Suite 522, Long Beach, NY 11561-3521.

The Applicant seeks authority to offer telecommunication services that will be concentrated in the metro areas that have the highest population(s). Specifically, the services will be offered in the cities or metro areas of Salt Lake City, West Valley City, West Jordan and Provo. Barr Tell further states that it intends to offer its services exclusively to business customers and any other nonresidential customer.

The Applicant will not be constructing any facilities in the State of Utah. The Applicant will be leasing and/or renting space in neutral data centers and/or other available facilities to place its equipment that will facilitate interconnecting with the Incumbents to exchange local voice traffic.

Barr Tell will be implementing its operations and service for business customers after it has received a Certificate of Authority from the Commission and has executed its interconnection agreement(s) with the applicable ILEC(s) or Incumbents to exchange local voice traffic.

The Applicant will provide access to its telecom services that includes unlimited and unrestricted calling, regardless of whether intraLATA, interLATA and/or interstate. The service also includes direct access to directory assistance, directory listings, and emergency 911 and E911 services that it will supply directly through its own nationwide network.

Summaries of professional experience and education of its managerial personnel demonstrate that the Applicant has considerable experience in the telecommunications industry.

According to financial statements attested to be accurate, objective and with integrity by Harold Barr, President, of Barr Tell USA, Inc., the Applicant has a positive net worth and has ample working capital. Barr Tell states that it has been in business for over 25 years and has been profitable for many years.

Barr Tell requests a waiver of the bond requirement because it does not plan to collect customer deposits, nor does it offer any prepaid services in the State of Utah.

The Applicant is currently authorized to provide local exchange telecommunications services in California, Colorado, Connecticut, the District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Massachusetts, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

Barr Tell claims that it has never had any complaints nor has any investigation been undertaken against it or any of its affiliates involving unauthorized switching (slamming) or any other illegal activities.

The Applicant asserts that approval of its application will serve the public interest creating and enhancing competition and expanding customer service options. Additionally, the approval of this application will expand the availability of innovative, high quality, reliable and competitively-priced telecommunications services in the State of Utah.

## **Conclusion**

Based on the Division's review of the filing, we conclude the public interest will be promoted by the Commission granting Barr Tell USA, Inc. a CPCN and request the Commission approve the application.

The Division also recommends that the \$100,000 bond be waived on the basis that the Applicant will not require customer deposits or prepayments of any kind.

cc: Harold Barr, President, Barr Tell USA, Inc.  
Office of Consumer Services, State of Utah