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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH	
In the Matter of the Application of eNetworks, LLC for Certificate of Public Necessity and Convenience to Provide Resold and Facilities-Based Local Exchange Telecommunications Services in the State of Utah	UTAH RURAL TELECOM ASSOCIATION’S COMMENTS  DOCKET NO. 25-2654-01

The Utah Rural Telecom Association (“URTA”), on behalf of itself and URTA Members All West Communications, Inc., Bear Lake Communications, Inc., Beehive Telephone Company, Carbon/Emery Telcom, Inc., Central Utah Telephone, Inc., Direct Communications Cedar Valley, LLC, E Fiber Moab, LLC, E Fiber San Juan, LLC, Emery Telephone, Gunnison Telephone Company, Hanksville Telcom, Inc., Manti Telephone Company, Skyline Telecom, South Central Utah Telephone Association, Inc., UBTA-UBET Communications Inc. dba Strata Networks, and Union Telephone Company (“Members” or “URTA Members”) hereby file the following comments in the above-referenced docket.

**PROCEDURAL HISTORY**

On January 3, 2025, eNetworks, LLC (“eNetworks”) filed an application seeking a certificate of public convenience and necessity (“CPCN”) for authority to operate as a provider of facilities-based and resold local exchange telecommunications services (the “Application”). The Utah Public Service Commission (“Commission”) issued an action request to the Division of Public Utilities (the “Division”) on January 3, 2025, requesting that the Division review the Application and make recommendations to the Commission. On January 7, 2025, the Commission issued a Notice of Filing and Comment Period (“Notice”) which invited any interested person to submit comments on the Application no later than

February 6, 2025, with reply comments due by February 21, 2025. In the Notice, the Commission indicated that if no comments opposing the Application are filed, the Commission may adjudicate this docket informally. On January 24, 2025, eNetworks filed the Direct Testimony of Lindon Hayes in support of the eNetworks Application (“Hayes Direct Testimony”).

### COMMENTS

URTA has reviewed the Application and the Hayes Direct Testimony. eNetworks has indicated generally in its application that it is seeking authority to provide facilities-based and resold local exchange telecommunications service in the State of Utah. However, eNetworks specifically states that it does not intend to offer voice service or Internet access service, and that it will primarily provide services to wholesale customer (other carriers and providers) and enterprise customers.<sup>1</sup> eNetworks states that it does not plan to furnish switched voice service or dial tone at this time, and therefore the requirements to provide access to directory assistance, directory listing, operator services, and emergency services do not apply.<sup>2</sup>

Additionally, eNetworks states that it seeks authority to offer telecommunications services from all points in Utah where demand for its services arises, but notes that “Applicant does not seek authority to provide local exchange service (as defined in Utah Code Section 54-8b-2(11)) or other circuit-switched services within any local exchange that has fewer than 5,000 access lines and that is owned or controlled by an incumbent telephone corporation with fewer than 30,000 access lines in the state.”<sup>3</sup>

Because eNetwork’s Application does not seek to provide service in local exchanges of fewer than 5,000 access lines that are owned or controlled by an incumbent telephone corporation with fewer than 30,000 access lines in the state, URTA and its members, pursuant to Utah Code §54-8b-2.1, do not oppose eNetworks’ Application. However, the URTA members specifically request that any Certificate of

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<sup>1</sup> Application, p. 4.

<sup>2</sup> *Id.*, at p 5.

<sup>3</sup> *Id.*

Public Convenience and Necessity that the Commission may enter include language similar to the following:

The Public Service Commission of Utah, pursuant to Utah Code Ann. § 54-Bb- 2.1, issues a Certificate of Public Convenience and Necessity authorizing [provider] to provide public telecommunications services within the State of Utah. [provider] may not provide local exchange service in any area with fewer than 5,000 access lines that is served by an incumbent local exchange carrier that has fewer than 30,000 total access lines.

If the CPCN ultimately issued by the Commission contains limiting language similar to that set forth above, URTA and its Members do not oppose the Application or informal adjudication.

**CONCLUSION**

URTA and its Members request that eNetworks' CPCN, if any, specifically include the language set forth above to exclude the small rural exchanges if this docket is to be adjudicated informally; or, in the alternative, URTA and its Members request that this matter be adjudicated formally so that URTA and its Members may intervene as incumbent telephone corporations pursuant to Utah Code §54-8b-2.1(3).

DATED this 6<sup>th</sup> day of February, 2025.

BLACKBURN & STOLL, LC



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of UTAH RURAL TELECOM ASSOCIATION'S COMMENTS, Docket 25-2654-01, was served the 6<sup>th</sup> day of February, 2025 as follows:

DIVISION OF PUBLIC UTILITIES (by email)

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