

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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Application of SIG Peak, LLC for a Certificate of Public Convenience and Necessity to Provide Facilities-Based Public Telecommunications Services within the State of Utah	<u>DOCKET NO. 25-2657-01</u>  <u>ORDER</u>
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ISSUED: November 3, 2025

SYNOPSIS

The Public Service Commission (PSC) approves the application of SIG Peak, LLC ("SIG Peak") for a Certificate of Public Convenience and Necessity ("CPCN") and authorizes SIG Peak to provide telecommunications services within Utah as described herein.

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PROCEDURAL HISTORY

On August 25, 2025, SIG Peak filed a verified application seeking a CPCN for authority to operate as a provider of facilities-based public telecommunications services within Utah (the "Application"). On August 29, 2025, the PSC issued a Notice of Filing and Comment Period which advised that comments on the Application would be received until September 29, 2025, and reply comments until October 14, 2025.

On September 23, 2025, the Division of Public Utilities (DPU) filed comments stating the Application provided the necessary information required by the PSC's rules, and recommending the Application be informally adjudicated pursuant to Utah Admin. Code R746-110-1 and Utah Code Ann. § 54-8b-3(1)(b), and be approved by the PSC ("DPU's Comments").

No other comments were filed and the Application is unopposed; accordingly, the PSC will adjudicate this docket informally.

DISCUSSION

DPU's Comments state that it reviewed the technical, managerial, and financial abilities of SIG Peak and found SIG Peak provided the necessary information to fulfill the requirements under the PSC's rules. DPU further states granting a CPCN to SIG Peak as requested and under the same terms and conditions granted in other CPCN dockets will promote the public interest. DPU recommends the \$100,000 bond be waived because SIG Peak will not require customer deposits or prepayments of any kind.<sup>1</sup>

In making its recommendation, DPU discussed various representations made by SIG Peak in the Application, including:

1. According to DPU, SIG Peak seeks statewide authority to provide its proposed services, "except within exchange areas with fewer than 5,000 access lines that are owned or controlled by an [Incumbent Local Exchange Carrier] with fewer than 30,000 total access lines in accordance with Utah Code Ann. § 54-8b-2.1 (3) and (4). Specifically, [SIG Peak] seeks authority as a reseller [of] local exchange services in the service areas of CenturyLink Communications, Inc. and any other existing or future [Local Exchange Carriers] providing service in Utah."<sup>2</sup>

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<sup>1</sup> See DPU Comments at 1.

<sup>2</sup> *Id.* at 2.

2. SIG Peak seeks authority to offer interexchange, transit, tandem switching, private line telecommunications, and all services that a facilities-based service provider is authorized to provide, but initially intends to only offer dark fiber to a variety of business subscribers in Utah.

3. SIG Peak intends to acquire, lease, and construct conduit, handholes, fiber optic cable, and supporting equipment and facilities to provide services to the public in Utah.

4. SIG Peak does not initially intend to offer standard local exchange services, including access toll calling, operator services, directory listings, and emergency services.

5. The summaries of professional experience and education of SIG Peak's managerial personnel demonstrate that SIG Peak has considerable experience in the telecommunications industry.

6. SIG Peak attests to the accuracy, objectivity, and integrity of its financial statements included with the Application, which show that it has a positive net worth and has ample working capital.

7. SIG Peak will not require customer deposits or prepayments of any kind.

8. SIG Peak is currently authorized to provide local exchange telecommunications services in Ohio and Virginia.

9. SIG Peak represents that it will comply with Utah law and the Federal Communications Commission's regulations, as applicable, regarding how interexchange carriers may change a consumer's primary interchange carrier or primary local exchange provider.

10. SIG Peak asserts that approval of the Application is in the public interest and will benefit telecommunications users in Utah by enhancing competition and providing competitively priced, high quality, innovative, and reliable services.

Based on our review of the Application, SIG Peak's representations, and DPU's Comments and recommendations, the PSC enters the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. There are no intervenors in this docket, there is no opposition to the Application, and there was no objection to DPU's recommendation that this docket be informally adjudicated. Therefore, the Application will be informally adjudicated pursuant to Utah Code Ann. § 54-8b-3(1)(b), and Utah Admin. Code R746-1-104(1) and R756-110-1.

2. SIG Peak filed documentation containing sufficient information to support the Application.

3. SIG Peak demonstrated it is qualified to do business in Utah.

4. SIG Peak will use its managerial expertise to support its Utah operations.

5. SIG Peak has sufficient technical resources and abilities to provide the regulated telecommunications services it proposes to offer.

6. SIG Peak reports a positive net worth and access to sufficient working capital for its Utah operations.

CONCLUSIONS OF LAW

1. SIG Peak meets the statutory requirements of Utah Code Ann. § 54-8b-2.1 and related rules for the requested CPCN.

2. Issuance of the requested CPCN to provide public telecommunications services as described in the Application is consistent with the legislative policy set forth in Utah Code Ann. § 54-8b-1.1 and in the public interest.

3. Given that SIG Peak will not require customer deposits and has demonstrated that it has access to sufficient capital, adequate provisions exist to protect customers and state fund liabilities under Utah Admin. Code R746-349-3(1)(b).

ORDER

Based on the above Findings and Conclusions, the PSC Orders:

1. SIG Peak is granted the CPCN attached as Exhibit A, incorporated by reference into this Order.

2. SIG Peak's CPCN is subject to the limitations stated therein.

3. Based on our conclusion and explanation above that adequate provisions exist to protect customers, the requirement stated in Utah Admin. Code R746-349-3(1)(b) that an applicant submits proof of a bond in the amount of \$100,000 is waived.

Any person may protest this Order within 20 days from the date of the Order. If the PSC finds the protest to be meritorious, the PSC will suspend the effective date of this Order, pending further proceedings. This Order otherwise takes effect 20 days from the date below.

DATED at Salt Lake City, Utah, November 3, 2025.

/s/ Jerry D. Fenn, Chair

/s/ David R. Clark, Commissioner

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

Attest:

/s/ Gary L. Widerburg  
PSC Secretary  
DW#342538

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. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

DOCKET NO. 25-2657-01

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EXHIBIT A

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Application of SIG Peak, LLC for a Certificate of Public Convenience and Necessity to Provide Facilities-Based Public Telecommunications Services within the State of Utah	<u>DOCKET NO. 25-2657-01</u> <u>CERTIFICATE 2657</u>
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ISSUED: November 3, 2025

The Public Service Commission of Utah, pursuant to Utah Code Ann. § 54-8b-2.1, issues a Certificate of Public Convenience and Necessity authorizing SIG Peak, LLC to provide public telecommunications services within the PSC's jurisdiction in the State of Utah. SIG Peak, LLC 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.

DATED at Salt Lake City, Utah, November 3, 2025.

/s/ Jerry D. Fenn, Chair

/s/ David R. Clark, Commissioner

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

Attest:

/s/ Gary L. Widerburg  
PSC Secretary



CERTIFICATE OF SERVICE

I CERTIFY that on November 3, 2025, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Email:

Sharon Thomas ([sharon.thomas@jsitel.com](mailto:sharon.thomas@jsitel.com))  
*JSI*

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*Office of Consumer Services*

/s/ Melissa R. Paschal  
Lead Paralegal