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BLACKBURN & STOLL, LC
Attorneys for
Uintah Basin Electronic Telecommunications, L.L.C.
257 East 200 South, Suite 800
Salt Lake City, Utah 84111
Telephone: (801) 521-7900

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH
STATE OF UTAH

In the Matter of the Application of Uintah Basin Electronic Telecommunications, L.L.C. for a Certificate of Public Convenience and Necessity to Provide Facilities-Based and Resold Local Exchange Service within the State of Utah	APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY Docket No. 26-2620-01

APPLICATION

Uintah Basin Electronic Telecommunications, L.L.C. ("UBET" or "Applicant"), pursuant to Chapter 8b of Title 54 of the Utah Code; the Commission's Rules of Practice and Procedure, Utah Admin. Code R349-1 *et seq.*; and the Federal Telecommunications Act of 1996, 47 U.S.C. §§ 151 *et seq.*, hereby applies to the Utah Public Service Commission for a certificate of public convenience and necessity ("CPCN") authorizing Applicant to operate as a provider of facilities-based and resold intrastate public telecommunications services in the State of Utah. In support of its application, UBET provides the following information pursuant to Utah Admin. Code R746-349:

I. GENERAL INFORMAOIN

A. Corporate Information

Applicant's legal name is Uintah Basin Electronic Telecommunications, L.L.C. Applicant may be reached at its principal place of business:

Uintah Basin Electronic Telecommunications, L.L.C.

211 E 200 N
Roosevelt, UT 84066
Telephone: (435) 622-5007

UBET is a Utah limited liability company organized on January 1, 2013, under the laws of Utah. A copy of UBET's Certificate of Existence in Utah is attached hereto as **Exhibit A**. Applicant is a wholly-owned subsidiary of UBTA-UBET Communications Inc., a Utah non-profit corporation ("UBTA-UBET") which provides local exchange services in Duchesne, Uintah, and Wasatch counties, Utah, subject to the jurisdiction of the Utah Public Service Commission.

B. Contact Information

Correspondence or communications pertaining to this Application should be directed to:

Kira M. Slawson
Blackburn & Stoll, LC
257 East 200 South, Suite 800
Salt Lake City, Utah 84111

with a copy to:

Bruce H. Todd
Chief Executive Officer
211 E 200 N
P.O. Box 398
Roosevelt, UT 84066
Telephone: (435) 622-5007

Questions concerning the operations of Applicant following certification should be directed to:

Bruce H. Todd
Chief Executive Officer
211 E 200 N
P.O. Box 398
Roosevelt, UT 84066
Telephone: (435) 622-5007

Applicant's registered agent in the State of Utah is:

Bruce Todd
211 E 200 N
Roosevelt, UT 84066

C. Customer Service Information

UBET's number for customer inquiries is 435-622-5007.

II. R746-349-3 FILING REQUIREMENTS

A. R746-349-3(1)(a)(i). Technical, Financial, and Managerial Abilities. The Applicant has sufficient technical, financial, and managerial abilities to provide the telecommunications services and related operations in Utah as proposed in this Application. The Applicant's financial, technical, and managerial qualifications are stated in the body of this Application, specifically in Sections II.G, II.K, and II.L, and in the Exhibits thereto. The showing that the granting of the Certificate is in the public interest is set forth in Section II.O of this Application.

B. R746-349-3(1)(b). Proof of Bond. Applicant respectfully requests waiver of the bond requirement pursuant to Utah Admin Code R746-349-3(1)(b)(iii) as the financial information included in **Confidential Exhibits E and F** successfully demonstrates the financial stability of Applicant and its ultimate parent, UBTA-UBET, and demonstrates the adequate resources available to Applicant. Additionally, the bond is intended to provide security for customer deposits or other liabilities to the Applicant's customers. Applicant does not intend to collect customer deposits for its telecommunications services. If Applicant decides to collect customer deposits, Applicant will comply with all Utah laws, rules and regulations.

C. 746-349-3(1)(c). Facilities to be used. Applicant seeks authority to provide facilities-based telecommunications services including local exchange service, exchange access service, long-distance telecommunications service, Voice over Internet Protocol voice service,

SIP trunking, dedicated internet access, broadband services, and other telecommunications services in Utah using its own facilities and/or utilizing facilities and network leased from affiliates and other carriers. Applicant may also provide services via reseal arrangements.

D. R746-349-3(1(d). Services to be offered.

1. R746-349-3(1)(d)(i). Classes of customers. Applicant intends to provide public telecommunications service to a broad range of customer within the State of Utah, including single family and multifamily residential, businesses, and enterprise customers.

2. R746-349-3(1)(d)(ii). Location of service. Applicant seeks authority to provide its proposed services to and from all points in Utah where demand for its services arises. Importantly, however, Applicant does not seek authority to provide local exchange service within any local exchange that has fewer than 5,000 lines and that is owned or controlled by an incumbent telephone corporation with fewer than 30,000 access lines in the state.

3. **R746-349-3(1)(d)(iii). Types of Services to be Offered.** The Applicant intends to offer facilities-based telecommunications services, including local exchange service, exchange access service, long-distance telecommunications service, Voic over Internet Protocol (VoIP) voice service, SIP trunking, dedicated internet access, broadband services, and other telecommunications services in Utah. The Applicant intends to provide services primarily using its own facilities and facilities leased from affiliates and other carriers but also seeks authority to provide service via resale arrangements.

E. R746-349-3(A)(5). Access to standard services. Applicant will provide access to

ordinary intraLATA and interLATA message toll calling, operator services, directory assistance, directory listings, and emergency services such as 911 and E911, where available, through its own operations.

F. R746-349-3(1)(f). Implementation Schedule. Applicant anticipates offering its services after the approval of its Application for a CPCN and approval of its tariff/pricelist.

G. R746-349-3(1)(g). Professional experience and education of managerial personnel and personnel responsible for Utah operations. Applicant has the managerial and technical qualifications necessary to provide the proposed services in Utah. As indicated above, Applicant and its parent company UBTA-UBET are headquartered in Roosevelt, Utah, and managed by a highly skilled team with substantial expertise and experience in the communications industry. Descriptions of the extensive telecommunications technical and managerial experience of Applicant's key personnel are attached hereto as **Exhibit B**.

H. R746-349-3(1)(h). Organization Chart. Applicant's operations will be directed by its management team located in Roosevelt, Utah as set forth in the Organizational Chart attached hereto as **Exhibit C.**

I. R746-349-3(1)(i). Chart of Accounts. Applicant's chart of accounts including account numbers, names, and brief descriptions is attached hereto as **Confidential Exhibit D.**

J. R746-349-3(1)(j). Financial Statements. Attached as **Confidential Exhibit E** are the financial statements of Applicant including:

1. The most recent balance sheet, income statement, and cash flow statement, and accompanying notes of the Applicant prepared according to GAAP together with a verification attesting to the accuracy and GAAP compliant preparation of the financial statements; and

2. The Financial Statements of UBTA-UBET, its parent corporation (Balance Sheet, Income Statement, and Cash Flow Statement together with accompanying notes, prepared in accordance with GAAP).

K. R746-349-3(1)(k). Financial Ability. The financial statements attached as **Confidential Exhibit E** demonstrate that Applicant has a positive net worth. Applicant provides as **Confidential Exhibit F** evidence that Applicant has sufficient projected and verifiable cash flow to meet cash needs as shown in a five year projection of expected operations.

L. R746-349-3(1)(l). Five Year Projection of Expected Operations.

1. R746-349-3(1)(l)(i). Proforma Income and Cash Flow Statements. See **Confidential Exhibit F** for the Applicant's proforma income statements and cash flow statements.

2. R746-349-3(1)(l)(ii). Technology to be Deployed. Applicant will deploy state-of-the-art fiber optic facilities and telecommunications equipment and technology as set forth in II.C above.

3. R746-349-3(1)(l)(iii). Maps. Maps of Applicants existing facilities are attached as **Confidential Exhibit G**.

M. R746-349-3(1)(m). Implementation schedule. See Section II.F.

N. R746-349-3(1)(n). Technical and managerial abilities. Applicant's officers have the necessary managerial and technical resources and qualifications necessary to execute its business plan, to provide its proposed telecommunications services, and to operate and maintain Applicant's facilities over which such services will be deployed. Applicant's technical and management team has extensive experience in the telecommunications industry. Descriptions of Applicant's key personnel are attached hereto as Exhibit B.

1. **R746-349-3(1)(n)(i). Proof of Certification in other Jurisdictions.** Neither Applicant, not its parent company, has been denied requested certification in any jurisdiction, nor has either had a permit, license, or certificate revoked by any authority. Applicant is not currently certificated in any other jurisdiction, but Applicant has been granted Competitive Eligible Telecommunications Carrier status in Utah and Colorado. See **Exhibit H**. Applicant's parent UBTA-UBET has been authorized to provide services public telecommunications services in Utah since 1951.

2. R746-349-3(1)(n)(ii). 2 Years of Recent Experience Providing Telecom Service. Applicant's parent has been providing public telecommunications service for over 75 years. Applicant has been providing wireless telecommunications services since 1994. Applicant is managed by a highly skilled team with substantial expertise and decades of experience in the communications industry, including extensive telecommunications business, technical and managerial experience.

O. 746-349-3(1)(o). Public interest. Granting this Application will serve the public interest by creating greater competition in the local exchange marketplace, and the high-speed data market in particular. Granting Applicant's entry into the Utah telecommunications market will enhance competition in the provision of telecommunications services within Utah. Applicant will bring significant benefits to telecommunications users within Utah by providing: (a) lower-priced and better-quality service; (b) innovative telecommunications services; (c) efficient use of communications resources; and (d) increased diversification and reliability in the supply of communications services. Given the substantial expertise of Applicant's management team,

Applicant's customers will benefit from that team's knowledge and experience in the Utah market. The public convenience and necessity, therefore, will be served by the issuance of a Certificate of Public Convenience and Necessity to Applicant authorizing it to provide the services described in this application.

P. R746-349-3(1)(p). Proof of Authority to Conduct Business in Utah. See **Exhibit A**, attached hereto.

Q. R746-349-3(1)(q). Unauthorized switching. No complaints have been made nor has any investigation been undertaken against Applicant or its parent company for unauthorized switching ("slamming") or any other illegal activities. Applicant will comply with Utah law and the Federal Communications Commission's ("FCC's") regulations regarding how interexchange carriers may change a consumer's Primary Interchange Carrier. Applicant will also comply with the FCC's regulations regarding how carriers may change a consumer's primary local exchange provider.

R. R746-349-3(1)(r). Solicitation of New Customers. Applicant pledges to follow all federal and state specific anti-slamming rules and will not engage in any unauthorized switching or slamming practices in compliance with Utah law and FCC regulations.

WHEREFORE, Uintah Basin Electronic Telecommunications, L.L.C. respectfully requests that the Utah Public Service Commission issue a Certificate of Public Convenience and Necessity authorizing it to provide resold and facilities-based, switched and dedicated local exchange telecommunications services throughout the State of Utah except for any local exchange that has fewer than 5,000 access lines that is owned or controlled by an incumbent telephone corporation with fewer than 30,000 access lines in the State. Applicant further request that the Commission waive the requirement for Applicant to provide a bond; and that the

Exhibits identified as "Confidential" be treated as confidential pursuant to and subject to R746-1-602 and 603. Applicant further respectfully requests that the Commission issue a Certificate to Applicant through an informal adjudication process, to the extent permitted under Utah Code section 54-8b-3(1)(b).

Dated this 29th day of October, 2026.

Respectfully submitted,



Kira M. Slawson
Blackburn & Stoll, LC
Attorneys for Applicant

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of October, 2026, I served a true and correct copy of Uintah Basin Electronic Telecommunications, L.L.C.'s Application for CPCN via e-mail transmission to following persons at the e-mail addresses listed below:

Division of Public Utilities
Chris Parker
Brenda Salter
chrisparker@utah.gov
bsalter@utah.gov
dpudatarequest@utah.gov

Office of Consumer Services
Michelle Beck
mbeck@utah.gov

Assistant Utah Attorneys Generals
Patrick Grecu
Robert Moore
pgrecu@ag.utah.gov
rmoore@ag.utah.gov

/s/Kira M. Slawson

LIST OF EXHIBITS

EXHIBIT A	Certificate of Existence in Utah
EXHIBIT B	Managerial and Technical Qualifications
EXHIBIT C	Organizational Chart
EXHIBIT D	Chart of Accounts
EXHIBIT E	Confidential Financial Statements
EXHIBIT F	Confidential Proforma Five-Year Projections and Proforma Financial Statements
EXHIBIT G	Confidential Map of Existing Facilities
EXHIBIT H	Orders Granting CETC Status in Utah and Colorado

EXHIBIT A

CERTIFICATE OF EXISTENCE

SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

UTAH DEPARTMENT OF COMMERCE
Division of Corporations and Commercial Code

MARGARET W. BUSSE
Executive Director

G. SCOTT WHITTAKER
Division Director

October 23, 2026

CERTIFICATE OF EXISTENCE

Registration Number:	1043770-0160
Business Name:	UINTAH BASIN ELECTRONIC TELECOMMUNICATIONS, L.L.C.
Principal Office Address:	211 E 200 N, ROOSEVELT, UT 84066
Registered Date:	08/28/1989
Entity Type:	DOMESTIC LIMITED LIABILITY COMPANY
Current Status:	ACTIVE - CURRENT
Duration:	08/28/2088

The Division of Corporations and Commercial Code of the State of Utah, custodian of the records of business registrations, certifies that the business entity on this certificate is authorized to transact business and was duly registered under the laws of the State of Utah. The Division also certifies that this entity has paid all fees and penalties owed to this state; its most recent annual report has been filed by the Division unless the status above is delinquent; and, that Articles of Dissolution have not been filed.

Scott Whittaker

G. Scott Whittaker
Director
Division of Corporations and Commercial Code

Certificate Number: 202610231026913
Enter the certificate number at https://businessregistration.utah.gov/ to verify this certification.

EXHIBIT B

SUMMARY OF APPLICANT'S TECHNICAL AND MANAGEMENT TEAM



BRUCE H. TODD

CEO/General Manager | Strata Networks

Bruce H. Todd brings over 36 years of experience in the telecommunications industry and has served as the Chief Executive Officer/General Manager of Strata Networks for 30 years. Strata Networks, headquartered in Utah's Uintah Basin, is a cooperative offering broadband and mobility services, including 1 Gig broadband internet, cable television, phone service, mobile internet, nationwide 4G LTE Advanced wireless service, 5G wireless service, and ngFWA.

Bruce currently serves as Board President of the Rural Independent Network Alliance LLC (RINA) and Avative LLC, as well as Vice President of Western Fiber Net (WFN). He is a member of the National Telecommunications Cooperative Association (NTCA) Industry Committee and the Western Telecommunications Alliance (WTA) Public Policy Committee, where he also serves as a Board Member. Additionally, he is the Executive Vice President of the Utah Rural Telecom Association (URTA) and a manager of the Utah Fiber Network (UFN).

Previously, Bruce was a Zions First National Bank Board member, a past president of URTA and WTA, and served on the Service Management Corporation (SMC) Board of NTCA. He has also been a member of various NTCA committees, including Government Affairs, Industry, and Business & Technology.

Bruce grew up in the Uintah Basin on a dairy farm and worked in the oil industry before earning a bachelor's degree in Accounting and Computer Sciences from Brigham Young University. After returning to the Basin as a CPA, he began his career in telecommunications. He and his wife, Carla, have four children.

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BEAU HANCOCK

Attorney Special Projects CEO-Elect | Strata Networks

Beau Hancock has over 12 years of experience in the telecommunications industry and has served as Attorney Special Projects at Strata Networks for the past seven years. In this role, Beau oversees legal and regulatory compliance, ensuring that Strata operates within the framework of state and federal laws. He also plays a critical role in managing large-scale broadband construction projects, collaborating with private and public entities to secure necessary approvals and drive project success.

Beau earned his Juris Doctorate from the University of Tulsa in 2010 and has been a licensed attorney in Utah since passing the bar later that year. He also holds a bachelor's degree in Business Administration from Utah State University. With his extensive legal expertise, Beau has developed the ability to effectively work with coworkers, regulators, and legislators to facilitate rural broadband initiatives, ensuring that projects meet both compliance standards and community needs.

As a member of Strata's BEAD Team, Beau is responsible for managing application timelines, coordinating documentation, and ensuring compliance with all program requirements. His detail-oriented approach has made him a trusted resource in advancing Strata's mission to expand broadband access to underserved areas.

Beau has spent most of his life in rural Utah, where he enjoys the region's rich outdoor opportunities. He and his wife, Autumn, are raising their two young children and love spending time together exploring Utah's natural beauty.

Beau was recently selected by Strata Networks' Board of Directors to succeed Bruce Todd as CEO / General Manager, effective November 19, 2026.



M. JASON MCKEE

Chief Financial Officer | Strata Networks

Jason McKee has served as the Chief Financial Officer of Strata Networks since November 2018, bringing 25 years of rural telecommunications experience. He previously held the role of Controller at Strata for 10 years before becoming CFO. Jason oversees budget management, treasury, risk management, accounting, billing, internal controls, systems, and compliance.

Jason holds a Master of Business Administration from the University of Massachusetts-Amherst and graduated cum laude with a Bachelor of Science in Accounting from Utah State University. He is also a licensed CPA in Utah.

He and his wife, Tawnya, enjoy raising their large family in rural Utah. They are actively involved in their community through church, sports, service, and outdoor recreation.

EXHIBIT C

ORGANIZATIONAL CHART

Name	Reports To	Job Title	Number of Direct Reports	Department	Location
Todd, Bruce		Gen Mgr President CEO	8	Administration	Utah-Roosevelt Corp HQ
Ogden, Nick	Allred, Dale	Video Production Editor -V6 Media -Video Prod	0	V6 Media-Video Production	Utah-Vernal Outside V6
Foley, Matthew	Allred, Dale	Media Sales Representative - V6 Media	0	V6 Media-Video Production	Utah-Vernal Outside V6
Farley, Kolby	Allred, Dale	Video Production Editor	0	V6 Media-Video Production	Utah-Vernal Outside V6
Miles, Michelle	Allred, Dale	Customer Relations Specialist-V6 Media	0	V6 Media-Video Production	Utah-Vernal Outside V6
Brown, Kris	Arnold, Stephanie	Mkt Splst-Mktg & Graphic Design Spclst	0	PR and Marketing	Utah-Roosevelt Corp HQ
Mathisen, Zach	Arnold, Stephanie	Business Intelligence Analyst	0	PR and Marketing	Utah-Roosevelt Corp HQ
McCarley, Jaycee	Arnold, Stephanie	Wireless Marketing Coordinator	0	PR and Marketing	Utah-Roosevelt Corp HQ
Timothy, Kassie	Arnold, Stephanie	Marketing Specialist	0	PR and Marketing	Utah-Roosevelt Corp HQ
Secrest, Cory	Bastian, Rebecca	Business Systems Tech - NOC - Level 2	0	NOC	Utah-Roosevelt Corp HQ
Estes, Alan	Bastian, Rebecca	Business Systems Tech - NOC - Level 2	0	NOC	Utah-Roosevelt Corp HQ
Maple, Daric	Bastian, Rebecca	Business Systems Tech - NOC - Level 2	0	NOC	Utah-Roosevelt Corp HQ
Hardin, Benjamin	Bastian, Rebecca	Business Systems Tech - NOC - Level 2	0	NOC	Utah-Roosevelt Corp HQ
Peterson, Jhonny	Bastian, Rebecca	Business Systems Tech - NOC - Level 2	0	NOC	Utah-Roosevelt Corp HQ
Rios, Ethan	Bastian, Rebecca	Business Systems Tech - NOC - Level 2	0	NOC	Utah-Roosevelt Corp HQ
Anderson, Caleb	Bastian, Rebecca	Business Systems Tech - NOC - Level 2	0	NOC	Utah-Roosevelt Corp HQ
Watkins, Pierson	Bastian, Rebecca	Business Systems Tech - NOC - Level 2	0	NOC	Utah-Roosevelt Corp HQ
Watkins, Connie	Bastian, Rebecca	Dispatching Oper Spec	0	Dispatch	Utah-Roosevelt Corp HQ
LeFevre, Amber	Bastian, Rebecca	Dispatching Oper Spec	0	Dispatch	Utah-Roosevelt Corp HQ
Womack, Stacy	Bastian, Rebecca	Dispatching Oper Spec	0	Dispatch	Utah-Roosevelt Corp HQ
Dirickson, Marie	Bastian, Rebecca	Dispatching Oper Spec	0	Dispatch	Utah-Roosevelt Corp HQ
Ewell, Bridger	Bess, Dick	Construction Supervisor	26	Capital Projects	Utah-Roosevelt Outside
Rowley, Chaps	Bess, Dick	Construction Supervisor	14	Utah Valley 1	Utah-Lehi
Buist, Jeremy	Bess, Dick	Construction Supervisor	14	Customer Premises	Utah-Roosevelt Outside
Sagers, Shad	Bingham, Jon	Network Engineering Mgr	13	Engineering	Utah-Roosevelt Corp HQ
Miles, Donald	Bingham, Jon	Plant Maintenance Supervisor -ROW	2	ROW	Utah-Roosevelt Outside
Hanberg, Marcia	Bingham, Jon	Executive Assistant - Engineering	0	Operations	Utah-Roosevelt Corp HQ
Wisener, Kelly	Bleazard, Jason	Combination / Telecom Network Tech -I&R	0	Install and Repair	Utah-Roosevelt Outside
Taylor, Robert	Bleazard, Jason	Combination / Telecom Network Tech -I&R	0	Install and Repair	Utah-Roosevelt Outside
Wilkins, Shawn	Bleazard, Jason	Combination / Telecom Network Tech -I&R	0	Install and Repair	Utah-Roosevelt Outside
Erickson, Brett	Bleazard, Jason	Combination / Telecom Network Tech -I&R	0	Install and Repair	Utah-Vernal Outside V6
Larsen, Clint	Bleazard, Jason	Combination / Telecom Network Tech -I&R	0	Install and Repair	Utah-Roosevelt Outside
Ewell, Joshua	Bleazard, Jason	Combination / Telecom Network Tech -I&R	0	Install and Repair	Utah-Vernal Outside V6
Samuels, Brian	Bleazard, Jason	Combination / Telecom Network Tech -I&R	0	Install and Repair	Utah-Vernal Outside V6
Bryson, Casey	Bleazard, Jason	Combination / Telecom Network Tech -I&R	0	Install and Repair	Utah-Vernal Outside V6
Sharp, Brady	Bostick, Kirk	Electrician Supervisor - Spectra	9	Spectra OT Electrical	Utah-Roosevelt Outside
Wilson, Mike	Bostick, Kirk	Systems Administrator2	7	Spectra IT	Utah-Vernal Outside V6
Miles, Wyatt	Buist, Jeremy	Equipment Operator - Premise	0	Capital Projects	Utah-Roosevelt Outside
Thomas, Marty	Buist, Jeremy	Equipment Operator - Premise	0	Customer Premises	Utah-Roosevelt Outside
Wallace, Logan	Buist, Jeremy	Construction Worker	0	Customer Premises	Utah-Roosevelt Outside
Taylor, Nate	Buist, Jeremy	Equipment Operator - Premise	0	Customer Premises	Utah-Roosevelt Outside
Murray, Braydon	Buist, Jeremy	Equipment Operator - Premise	0	Customer Premises	Utah-Roosevelt Outside

Taylor, Teigen	Buist, Jeremy	Equipment Operator - Premise	0	Customer Premises	Utah-Roosevelt Outside
Reyes, Ruben	Buist, Jeremy	Equipment Operator - Premise	0	Customer Premises	Utah-Roosevelt Outside
Castillo, Damarian	Buist, Jeremy	Construction Worker	0	Customer Premises	Utah-Roosevelt Outside
Nielsen, Clay	Buist, Jeremy	Equipment Operator - Premise	0	Customer Premises	Utah-Roosevelt Outside
Long, Logan	Buist, Jeremy	Equipment Operator - Premise	0	Customer Premises	Utah-Roosevelt Outside
Guffey, Koltdon	Buist, Jeremy	Equipment Operator - Premise	0	Customer Premises	Utah-Roosevelt Outside
Fulkerson, Jrayden	Buist, Jeremy	Equipment Operator - Premise	0	Customer Premises	Utah-Roosevelt Outside
Hackford, Kylar	Buist, Jeremy	Construction Worker	0	Customer Premises	Utah-Roosevelt Outside
Kerlin, Tate	Buist, Jeremy	Construction Worker	0	Customer Premises	Utah-Roosevelt Outside
Allred, Devin	Coonradt, Coby	Video Production Editor	0	V6 Media-Creative Services	Utah-Vernal Outside V6
Sessions, Timothy	Cranney, Jeff	Network Engineering Manager/Construction-Te	9	Wireless Maintenance	Utah-Naples Wireless Shop
Murphy, Mark	Cranney, Jeff	IT Mgr Network Mgr	7	Wireless Central Office	Utah-Roosevelt RINA
Felice, Mike	Cranney, Jeff	Facilities Manager	3	Facilities Maintenance	Utah-Roosevelt Outside
Smith, Olivia	Earl, Lane	Customer Relations Mgr	5	Customer Relations	Utah-Roosevelt Corp HQ
Draper, Peggy	Earl, Lane	Sales & Mktg Coordinator	0	Sales	Utah-Roosevelt Corp HQ
Rowley, Veldon	Earl, Lane	Sales Specialist	0	Sales	Utah-Roosevelt Corp HQ
Hoops, Valerie	Earl, Lane	Sales & Mktg Coordinator	0	Sales	Utah-Roosevelt Corp HQ
Smith, Sidney	Earl, Lane	Sales Specialist	0	Sales	Utah-Vernal Retail Store
Simonton, Scott	Earl, Lane	Sales Specialist	0	Sales	Utah-Roosevelt Corp HQ
Peterson, Pher	Earl, Lane	Sales Specialist	0	Sales	Utah-Roosevelt Corp HQ
Taylor, Cordale	Ewell, Bridger	Construction Worker	0	Capital Projects	Utah-Roosevelt Outside
Farnsworth, Jake	Ewell, Bridger	Equipment Operator - Premise	0	Capital Projects	Utah-Roosevelt Outside
Jessen, Corey	Ewell, Bridger	Equipment Operator - Premise	0	Capital Projects	Utah-Roosevelt Outside
Whiting, David	Ewell, Bridger	Construction Worker	0	Capital Projects	Utah-Roosevelt Outside
Kelsch, Talon	Ewell, Bridger	Equipment Operator - Premise	0	Capital Projects	Utah-Roosevelt Outside
Sanchez, Kaleb	Ewell, Bridger	Construction Worker	0	Capital Projects	Utah-Roosevelt Outside
Kruger, Dylan	Ewell, Bridger	Construction Worker	0	Capital Projects	Utah-Roosevelt Outside
Wright, Tyrell	Ewell, Bridger	Equipment Operator - Capital Projects	0	Capital Projects	Utah-Roosevelt Outside
Stanley, Ronald	Ewell, Bridger	Equipment Operator - Capital Projects	0	Capital Projects	Utah-Roosevelt Outside
Mullins, Weston	Ewell, Bridger	Equipment Operator - Capital Projects	0	Capital Projects	Utah-Roosevelt Outside
Jessen, Wyatt	Ewell, Bridger	Equipment Operator - Capital Projects	0	Capital Projects	Utah-Roosevelt Outside
Clayburn, Tyler	Ewell, Bridger	Equipment Operator - Capital Projects	0	Capital Projects	Utah-Roosevelt Outside
Hanberg, Landon	Ewell, Bridger	Equipment Operator - Premise	0	Capital Projects	Utah-Roosevelt Outside
Young, Blake	Ewell, Bridger	Equipment Operator - Capital Projects	0	Capital Projects	Utah-Roosevelt Outside
Atwood, Clinton	Ewell, Bridger	Equipment Operator - Capital Projects	0	Capital Projects	Utah-Vernal Outside V6
Crozier, Charles	Ewell, Bridger	Equipment Operator - Capital Projects	0	Capital Projects	Utah-Roosevelt Outside
Farnsworth, Bransyn	Ewell, Bridger	Construction Worker	0	Capital Projects	Utah-Roosevelt Outside
Johnson, Brandon	Ewell, Bridger	Equipment Operator - Capital Projects	0	Capital Projects	Utah-Roosevelt Outside
Kerlin, Joshua	Ewell, Bridger	Equipment Operator - Capital Projects	0	Capital Projects	Utah-Roosevelt Outside
Lemery, Benjamin	Ewell, Bridger	Equipment Operator - Capital Projects	0	Capital Projects	Utah-Roosevelt Outside
Moon, Garrett	Ewell, Bridger	Equipment Operator - Capital Projects	0	Capital Projects	Utah-Roosevelt Outside
Ross, Brady	Ewell, Bridger	Equipment Operator - Capital Projects	0	Capital Projects	Utah-Roosevelt Outside
Sorensen, Randy	Ewell, Bridger	Equipment Operator - Capital Projects	0	Capital Projects	Utah-Roosevelt Outside

Thorpe, Colton	Ewell, Bridger	Equipment Operator - Capital Projects	0	Capital Projects	Utah-Roosevelt Outside
Wall, Briggs	Ewell, Bridger	Construction Worker	0	Capital Projects	Utah-Roosevelt Outside
Goodrich, Rylee	Ewell, Bridger	Equipment Operator - Capital Projects	0	Capital Projects	Utah-Roosevelt Outside
Zager, Duane	Felice, Mike	Facilities Manager	0	Facilities Maintenance	Utah-Roosevelt Corp HQ
Reay, Alex	Felice, Mike	Facilities Maintenance Technician	0	Facilities Maintenance	Utah-Roosevelt Outside
Rust, Parker	Felice, Mike	Facilities Maintenance Technician	0	Facilities Maintenance	Utah-Roosevelt Corp HQ
Bennion, Allen	Hancock, Beau	Sub Mgr Line of Buss Mgr	7	Wireless Operations	Utah-Roosevelt RINA
Mohar, Meagin	Hancock, Beau	Vice President of Human Resources	3	Human Resources	Utah-Roosevelt Corp HQ
Elder, Andrew	Hancock, Beau	Proj Mgr Special Proj	0	Administration	Utah-Roosevelt Corp HQ
Hazelbush, Lisa	Harlow, Laura	Enhanced Services Tech	0	Vernal Retail	Utah-Vernal Retail Store
Keyes, Nikolas	Harlow, Laura	Customer Relations Specialist	0	Vernal Retail	Utah-Vernal Retail Store
Wilson, Renee	Harlow, Laura	Customer Relations Specialist	0	Vernal Retail	Utah-Vernal Retail Store
Dockery, Sarah	Harlow, Laura	Customer Relations Spec -Customer Account F	0	Vernal Retail	Utah-Vernal Retail Store
Hanberg, Susie	Harlow, Laura	Cashier	0	Vernal Retail	Utah-Vernal Retail Store
Reay, Kimberlee	Harlow, Laura	Customer Relations Specialist	0	Vernal Retail	Utah-Vernal Retail Store
Oldham, Zoey	Harlow, Laura	Customer Relations Specialist	0	Vernal Retail	Utah-Vernal Retail Store
Southam, Merlin	Harlow, Laura	Customer Relations Specialist	0	Vernal Retail	Utah-Vernal Retail Store
Horrocks, Grady	Harlow, Laura	Enhanced Services Tech	0	Vernal Retail	Utah-Vernal Retail Store
Pierce, Monique	Harlow, Laura	Senior Customer Account Billing Specialist	0	Vernal Retail	Utah-Vernal Retail Store
Robertson, Mark	Labrum, Tyler	Safety Officer	0	Safety	Utah-Roosevelt Corp HQ
Guffey, Markelle	Larsen, Cindy	Cashier	0	Call Center	Utah-Vernal Outside V6
Farnsworth, Elva	Larsen, Cindy	Customer Relations Asst-Call Center	0	Call Center	Utah-Roosevelt Corp HQ
Hernandez, Andrea	Larsen, Cindy	Customer Relations Asst-Call Center	0	Call Center	Utah-Vernal Outside V6
Sisneros, Andrya	Larsen, Cindy	Customer Relations Asst-Call Center	0	Call Center	Utah-Vernal Outside V6
Gutierrez, Rosalba	Larsen, Cindy	Customer Relations Asst-Call Center	0	Call Center	Utah-Vernal Outside V6
Winterton, Kaitlyn	Larsen, Cindy	Customer Relations Asst-Call Center	0	Call Center	Utah-Roosevelt Corp HQ
Young, Liz	Larsen, Cindy	Customer Relations Asst-Call Center	0	Call Center	Utah-Roosevelt Corp HQ
Dickson, Kelsi	Larsen, Cindy	Senior Customer Account Billing Specialist	0	Call Center	Utah-Roosevelt Corp HQ
Potts, Martina	Larsen, Cindy	Business Systems Tech - NOC - Level 2	0	NOC	Utah-Roosevelt Corp HQ
Kendall, Daniel	Larsen, Cindy	Business Systems Tech - NOC - L1	0	NOC	Utah-Roosevelt Corp HQ
Faucher, Tobias	Larsen, Cindy	Business Systems Tech - NOC - L1	0	NOC	Utah-Roosevelt Corp HQ
Marshall, Truman	Larsen, Cindy	Business Systems Tech - NOC - L1	0	NOC	Utah-Roosevelt Corp HQ
Inman, Isaiah	Larsen, Cindy	Business Systems Tech - NOC - L1	0	NOC	Utah-Roosevelt Corp HQ
Dennis, Moroni	Larsen, Cindy	Business Systems Tech - NOC - L1	0	NOC	Utah-Roosevelt Corp HQ
Maynard, Jason	Long, Casey	CATV Supervisor	10	Cable TV	Utah-Vernal Outside V6
Bleazard, Jason	Long, Casey	Asst Plant Telecom Network Manager - I&R Sup	8	Install and Repair	Utah-Roosevelt Corp HQ
Williams, Abe	Long, Casey	Asst Plnt Telecom Network Manager / FDA	8	FDA	Utah-Vernal Outside V6
Bingham, Charles	Long, Casey	Warehouseman	0	Logistics Supply Chain	Utah-Roosevelt Outside
Evans, Dave	Long, Casey	Warehouseman	0	Logistics Supply Chain	Utah-Roosevelt Outside
Goodrich, Chase	Long, Casey	Purchasing Coordinator	0	Logistics Supply Chain	Utah-Roosevelt Outside
Noker, Loni	Long, Casey	Warehouseman	0	Logistics Supply Chain	Utah-Vernal Outside V6
Perry, Ryan	Long, Casey	Purchasing Coordinator	0	Logistics Supply Chain	Utah-Roosevelt Outside
Angus, Carly	Long, Casey	Warehouseman	0	Logistics Supply Chain	Utah-Lehi

Gordon, Lance	Long, Casey	Warehouseman	0	Logistics Supply Chain	Utah-Lehi
Caldwell, Lewis	Long, Casey	Purchasing Coordinator	0	Logistics Supply Chain	Utah-Roosevelt Outside
McDonald, Buckley	Maynard, Jason	Cable Locator Technician	0	Cable TV	Utah-Roosevelt Outside
Stewart, Kael	Maynard, Jason	Cable Locator Technician	0	Cable TV	Utah-Vernal Outside V6
Stanton, Ryan	Maynard, Jason	Cable Locator Technician	0	Cable TV	Utah-Vernal Outside V6
Bell, Joe	Maynard, Jason	Cable Locator Technician	0	Cable TV	Utah-Roosevelt Outside
Jessen, Gage	Maynard, Jason	Video Service Tech -Installer	0	Cable TV	Utah-Vernal Outside V6
Anderton, Weston	Maynard, Jason	Cable Locator Technician	0	Cable TV	Utah-Roosevelt Outside
Dunsmore, Aaron	Maynard, Jason	CATV Senior Line Technician	0	Cable TV	Utah-Roosevelt Outside
Schiess, Grant	Maynard, Jason	CATV Senior Line Technician	0	Cable TV	Utah-Vernal Outside V6
Thompson, Tommy	Maynard, Jason	CATV Broadband Combo Installer/Line Tech	0	Cable TV	Utah-Vernal Outside V6
Valentine, Garrett	Maynard, Jason	CATV Broadband Combo Installer/Line Tech	0	Cable TV	Utah-Vernal Outside V6
Richardson, Rashelle	McKee, Jason	Controller	5	Accounting	Utah-Roosevelt Corp HQ
Stanley, Debbie	McKee, Jason	Controller	4	AP Payroll	Utah-Roosevelt Corp HQ
Labrum, Tyler	McKee, Jason	Director of Finance	1	Safety	Utah-Roosevelt Corp HQ
Miller, Cache	McKee, Jason	Accounting Manager	0	Accounting	Utah-Roosevelt Corp HQ
Miles, Brent	McKee, Jason	Financial Analyst	0	Accounting	Utah-Roosevelt Corp HQ
Olsen, Cynthia	McKee, Jason	Software Developer	0	Billing	Utah-Roosevelt Corp HQ
Garner, Ryan	McKee, Jason	Systems Administrator- Strata	0	Billing	Utah-Roosevelt Corp HQ
Horrocks, Rowdy	Miles, Charles	Central Office Tech - Landline	0	Central Office Network	Utah-Roosevelt Corp HQ
Harris, Joseph	Miles, Charles	Central Office Tech - Landline	0	Central Office Network	Utah C.O. Data Center
Rasmussen, Ryker	Miles, Charles	Central Office Tech - Landline	0	Central Office Network	Utah-Roosevelt Corp HQ
French, Larry	Miles, Charles	Central Office Tech - Landline	0	Central Office Network	Utah C.O. Data Center
Remund, Weston	Miles, Donald	Right of Way Agent	0	ROW	Utah-Roosevelt Outside
Woodland, Nick	Miles, Donald	Right of Way Agent	0	ROW	Utah-Roosevelt Outside
Linville, Natalie	Mohar, Meagin	HR Generalist: Talent, HRIS & Process Optimiz	1	Human Resources	Utah-Roosevelt Corp HQ
Hyder, Jerilyn	Mohar, Meagin	HR Generalist: Benefits & Employee Lifecycle	0	Human Resources	Utah-Roosevelt Corp HQ
Richman, Heather	Mohar, Meagin	HR Generalist: Employee Services & Operations	0	Human Resources	Utah-Roosevelt Corp HQ
Stringham, Terry	Murphy, Mark	Wireless Cellular Tech	0	Wireless Technical Support	Utah-Roosevelt RINA
Barton, Sarah	Murphy, Mark	Central Office Tech - Wireless	0	Wireless Central Office	Utah-Roosevelt RINA
Henline, Zack	Murphy, Mark	Central Office Tech - Wireless	0	Wireless Central Office	Utah-Roosevelt Corp HQ
Potter, Miles	Murphy, Mark	Central Office Tech - Wireless	0	Wireless Central Office	Utah-Roosevelt RINA
Siddoway, Lance	Murphy, Mark	Central Office Metaswitch_Spclst-Wireless	0	Wireless Central Office	Utah C.O. Data Center
Ubelhor, Izaac	Murphy, Mark	Network Engineer	0	Wireless Central Office	Utah-Roosevelt RINA
Allred, Dale	Rasmussen, Tyler	Video Supervisor	4	V6 Media-Video Production	Utah-Vernal Outside V6
Arnold, Stephanie	Rasmussen, Tyler	Marketing Manager	4	PR and Marketing	Utah-Roosevelt Corp HQ
Coonradt, Coby	Rasmussen, Tyler	Video Supervisor/V6 Creative Services	1	V6 Media-Creative Services	Utah-Vernal Outside V6
Wilkins, Sylvia	Rasmussen, Tyler	Gov Affairs Reg Affr Mgr	0	Business Development	Utah-Roosevelt Corp HQ
Hanberg, Blake	Richardson, Rashelle	Accountant 1	0	Accounting	Utah-Vernal Outside V6
Bess, Chris	Richardson, Rashelle	Accounting Assistant	0	Accounting	Utah-Roosevelt Corp HQ
Cook, David	Richardson, Rashelle	Billing System Administrator	0	Billing	Utah-Roosevelt Corp HQ
Manwaring, Keaton	Richardson, Rashelle	Billing System Administrator	0	Billing	Utah-Roosevelt Corp HQ
Capps, Dauhson	Richardson, Rashelle	Software Developer - Billing	0	Billing	Utah-Roosevelt Corp HQ

Higbee, Paul	Roberts, Riley	Asst PlantTelecomNetwkMgr	0	Operations	Utah-Providence
Byington, Troy	Roberts, Riley	Combin Telecom Netwk Tech - FDA	0	Utah Valley 2	Utah-Lehi
Anderson, Chad	Roberts, Riley	Combin Telecom Netwk Tech - FDA	0	Utah Valley 2	Utah-Lehi
Mansfield, David	Roberts, Riley	Combin Telecom Netwk Tech - FDA	0	Utah Valley 2	Utah-Lehi
Brown, Rebecca	Roberts, Riley	Combin Telecom Netwk Tech - FDA	0	Utah Valley 2	Utah-Lehi
Chappuis, Stoney	Roberts, Riley	Cable Locator Technician	0	Utah Valley 2	Utah-Lehi
Diamond, Cameron	Roberts, Riley	Cable Locator Technician	0	Utah Valley 2	Utah-Lehi
Tangreen, Todd	Roberts, Riley	Combination / Telecom Network Tech -I&R	0	Utah Valley 2	Utah-Lehi
Kinsey, Ellis	Rowley, Chaps	Equipment Operator - Lehi	0	Utah Valley 1	Utah-Lehi
Johnson, Cory	Rowley, Chaps	Equipment Operator - Lehi	0	Utah Valley 1	Utah-Lehi
Perez, Carlos	Rowley, Chaps	Equipment Operator - Lehi	0	Utah Valley 1	Utah-Lehi
Rosales, Orlando	Rowley, Chaps	Equipment Operator - Lehi	0	Utah Valley 1	Utah-Lehi
Gordon, Zach	Rowley, Chaps	Equipment Operator - Lehi	0	Utah Valley 1	Utah-Lehi
Baum, Zachary	Rowley, Chaps	Equipment Operator - Lehi	0	Utah Valley 1	Utah-Lehi
Rowley, Chisum	Rowley, Chaps	Equipment Operator - Lehi	0	Utah Valley 1	Utah-Lehi
Orton, Ryan	Rowley, Chaps	Equipment Operator - Lehi	0	Utah Valley 1	Utah-Lehi
Millwee, Patrick	Rowley, Chaps	Equipment Operator - Lehi	0	Utah Valley 1	Utah-Lehi
Fuller, Bryce	Rowley, Chaps	Construction Worker - Utah Valley	0	Utah Valley 1	Utah-Lehi
McKee, Brayden	Rowley, Chaps	Construction Worker - Utah Valley	0	Utah Valley 1	Utah-Lehi
Thobe, Christopher	Rowley, Chaps	Construction Worker - Utah Valley	0	Utah Valley 1	Utah-Lehi
Walker, Carson	Rowley, Chaps	Construction Worker - Utah Valley	0	Utah Valley 1	Utah-Lehi
Wiberg, Matthew	Rowley, Chaps	Construction Worker - Utah Valley	0	Utah Valley 1	Utah-Lehi
Long, Casey	Ryan, Dave	Plant Telecom Netwk Mgr	11	Operations	Utah-Roosevelt Outside
Roberts, Riley	Ryan, Dave	Plant Telecom Netwk Mgr	8	Utah Valley 2	Utah-Lehi
Cranney, Jeff	Ryan, Dave	Sub Mgr Line of Buss Mgr	3	Wireless Technical Support	Utah-Roosevelt Corp HQ
Simmons, Brent	Ryan, Dave	Director of Operations	3	Operations	Utah-Roosevelt Corp HQ
Bingham, Jon	Ryan, Dave	Director of Operations	3	Operations	Utah-Roosevelt Corp HQ
Bess, Dick	Ryan, Dave	Director of Operations	3	Construction	Utah-Roosevelt Outside
Nolden, Gracie	Ryan, Dave	Executive Assistant-COO	0	Operations	Utah-Roosevelt Corp HQ
Owens, Kaitlynn	Sagers, Shad	CAD Operator	0	Engineering	Utah-Roosevelt Corp HQ
Womack, Mickel	Sagers, Shad	Engineer	0	Engineering	Utah-Roosevelt Corp HQ
Goodspeed, Jennifer	Sagers, Shad	Senior CAD Operator	0	Engineering	Utah-Roosevelt Corp HQ
Wright, Michelle	Sagers, Shad	CAD Operator	0	Engineering	Utah-Roosevelt Corp HQ
Manwaring, Mike	Sagers, Shad	Engineer	0	Engineering	Utah-Roosevelt Corp HQ
Cottam, Robert	Sagers, Shad	CAD Operator	0	Engineering	Utah-Roosevelt Corp HQ
Manwaring, Bruce	Sagers, Shad	Proj Mgr Special Proj	0	Engineering	Utah-Roosevelt Corp HQ
Angus, Bart	Sagers, Shad	Proj Mgr Special Proj	0	Engineering	Utah-Roosevelt Corp HQ
Wilson, Tim	Sagers, Shad	CAD Operator	0	Engineering	Utah-Roosevelt Corp HQ
Pay, Travis	Sagers, Shad	Proj Mgr Special Proj	0	Engineering	Utah-Lehi
Giles, Jeremy	Sagers, Shad	CAD Operator	0	Engineering	Utah-Lehi
Olsen, Gracie	Sagers, Shad	CAD Operator	0	Engineering	Utah-Roosevelt Corp HQ
Luna, Jacquelyn	Sagers, Shad	OSP Project Coordinator - Strata	0	Engineering	Utah-Lehi
Chapman, Emily	Sawyer, Rachelle	Sr Cust Acct Billing Spec - Collections	0	Roosevelt Retail	Utah-Roosevelt Corp HQ

Blanchard, Kat	Sawyer, Rachelle	Enhanced Services Tech	0	Roosevelt Retail	Utah-Roosevelt Corp HQ
Green, Kayla	Sawyer, Rachelle	Customer Relations Specialist	0	Roosevelt Retail	Utah-Roosevelt Corp HQ
Sawyer, Madison	Sawyer, Rachelle	Customer Relations Specialist	0	Roosevelt Retail	Utah-Roosevelt Corp HQ
Hadden, Courtney	Sawyer, Rachelle	Senior Customer Account Billing Specialist	0	Roosevelt Retail	Utah-Roosevelt Corp HQ
Steele, Michael	Sawyer, Rachelle	Customer Relations Specialist	0	Roosevelt Retail	Utah-Roosevelt Corp HQ
Olsen, Monica	Sawyer, Rachelle	Customer Relations Specialist	0	Roosevelt Retail	Utah-Roosevelt Corp HQ
Richens, Raymond	Sessions, Timothy	Wireless Cellular Tech	0	Wireless Maintenance	Utah-Naples Wireless Shop
Mitchell, Emmit	Sessions, Timothy	Wireless/Cellular Tech -Tower Tech -1	0	Wireless Maintenance	Utah-Naples Wireless Shop
Perkins, Benjamin	Sessions, Timothy	Wireless/Cellular Tech -Tower Tech -1	0	Wireless Maintenance	Utah-Naples Wireless Shop
Thomas, Shad	Sessions, Timothy	Wireless/Cellular Technician Foreman	0	Wireless Maintenance	Utah-Naples Wireless Shop
Smuin, Kaston	Sessions, Timothy	Wireless/Cellular Tech -Tower Tech -1	0	Wireless Maintenance	Utah-Naples Wireless Shop
Wilkins, Trevor	Sessions, Timothy	Wireless Network Field Engineer	0	Wireless Maintenance	Utah-Naples Wireless Shop
Laub, Dustin	Sessions, Timothy	Wireless Network Field Technician	0	Wireless Maintenance	Utah-Naples Wireless Shop
Alexander, Cody	Sessions, Timothy	Wireless Network Field Technician	0	Wireless Maintenance	Utah-Roosevelt Corp HQ
Hyder, Jesse	Sessions, Timothy	Wireless Operations Engineer	0	Wireless Maintenance	Utah-Naples Wireless Shop
Dye, Josh	Sharp, Brady	Installer/Cable Splicer -Spectra	0	Spectra OT Electrical	Utah-Roosevelt Outside
Goodrich, Canyon	Sharp, Brady	Installer/Cable Splicer -Spectra	0	Spectra OT Electrical	Utah-Roosevelt Corp HQ
Atwood, Questen	Sharp, Brady	Electrician Apprentice -Spectra	0	Spectra OT Electrical	Utah-Vernal Outside V6
Brown, Easton	Sharp, Brady	Electrician Apprentice -Spectra	0	Spectra OT Electrical	Utah-Vernal Outside V6
Atwood, Jayden	Sharp, Brady	Electrician Apprentice -Spectra	0	Spectra OT Electrical	Utah-Roosevelt Outside
Monsen, Kyler	Sharp, Brady	Electrician Apprentice -Spectra	0	Spectra OT Electrical	Utah-Roosevelt Corp HQ
Jacobson, Dennis	Sharp, Brady	Electrician Journeyman-Spectra	0	Spectra OT Electrical	Utah-Roosevelt Outside
Powell, Trei	Sharp, Brady	Electrician Apprentice -Spectra	0	Spectra OT Electrical	Utah-Roosevelt Corp HQ
Rasmussen, Rhett	Sharp, Brady	Installer/Cable Splicer -Spectra	0	Spectra OT Electrical	Utah-Roosevelt Outside
Young, Bert	Simmons, Brent	IT Mgr Network Mgr	11	Operations	Utah C.O. Data Center
Ward, Shelly	Simmons, Brent	IT Mgr Network Mgr	5	NOC	Utah-Roosevelt Corp HQ
Rhoades, Sam	Simmons, Brent	Sales Engineer	0	Network Operations	Utah-Roosevelt Corp HQ
Harlow, Laura	Smith, Olivia	Customer Relations Sup	10	Vernal Retail	Utah-Vernal Retail Store
Sawyer, Rachelle	Smith, Olivia	Customer Relations Sup	7	Roosevelt Retail	Utah-Roosevelt Corp HQ
Murray, Raquel	Smith, Olivia	Sr Cust Acct Billing Spec - Collections	0	Customer Relations	Utah-Roosevelt Corp HQ
Postma, Sara	Smith, Olivia	Customer Relations Spec -Customer Account F	0	Customer Relations	Utah-Vernal Retail Store
Norton, Katie	Smith, Olivia	Sr Cust Acct/Training Specialist	0	Customer Relations	Utah-Roosevelt Corp HQ
Smith, Gauge	Stanley, Debbie	Accountant2	0	Accounting	Utah-Roosevelt Corp HQ
Oldroyd, Dalton	Stanley, Debbie	Accountant2	0	Accounting	Utah-Roosevelt Corp HQ
Helms, Sara	Stanley, Debbie	Bookkeeper	0	AP Payroll	Utah-Roosevelt Corp HQ
Harbison, Jennifer	Stanley, Debbie	Bookkeeper	0	AP Payroll	Utah-Roosevelt Corp HQ
Ryan, Dave	Todd, Bruce	Asst Gen Mgr COO	8	Operations	Utah-Roosevelt Corp HQ
McKee, Jason	Todd, Bruce	Chief Financial Officer	7	Accounting	Utah-Roosevelt Corp HQ
Earl, Lane	Todd, Bruce	Sales Manager	7	Sales	Utah-Roosevelt Corp HQ
Rasmussen, Tyler	Todd, Bruce	Sub Mgr Line of Buss Mgr	4	Business Development	Utah-Roosevelt Corp HQ
Hancock, Beau	Todd, Bruce	Asst Gen Mgr COO	3	Administration	Utah-Roosevelt Corp HQ
Miles, Torie	Todd, Bruce	Executive Assistant	0	Administration	Utah-Roosevelt Corp HQ
Bowen, Shawni	Todd, Bruce	Executive Assistant	0	Administration	Utah-Roosevelt Corp HQ

Larsen, Cindy	Ward, Shelly	Net Ops Center Spvr	14	NOC	Utah-Roosevelt Corp HQ
Bastian, Rebecca	Ward, Shelly	Net Ops Center Spvr	12	NOC	Utah-Roosevelt Corp HQ
Peterson, Christian	Ward, Shelly	Business Systems Tech-L3	0	NOC	Utah-Roosevelt Corp HQ
Bowles, Brandon	Ward, Shelly	Business Systems Tech - NOC - L1	0	NOC	Utah-Roosevelt Corp HQ
Martinsen, Dallin	Ward, Shelly	Business Systems Tech - NOC - L1	0	NOC	Utah-Roosevelt Corp HQ
Tesar, Jordan	Williams, Abe	Combin Telecom Netwk Tech - FDA	0	FDA	Utah-Vernal Outside V6
Mecham, Zakry	Williams, Abe	Cable Splicer / FDA - Strata	0	FDA	Utah-Roosevelt Outside
Evans, Ed	Williams, Abe	Cable Splicer / FDA - Strata	0	FDA	Utah-Roosevelt Outside
Lake, Chad	Williams, Abe	Cable Repair Tech-Strata	0	FDA	Utah-Vernal Outside V6
Gilroy, Wesley	Williams, Abe	Cable Splicer / FDA - Strata	0	FDA	Utah-Vernal Outside V6
Thomas, William	Williams, Abe	Combin Telecom Netwk Tech - FDA	0	FDA	Utah-Roosevelt Outside
Carroll, Thomas	Williams, Abe	Combin Telecom Netwk Tech - FDA	0	FDA	Utah-Roosevelt Outside
Manwaring, Mark	Williams, Abe	Combin Telecom Netwk Tech - FDA	0	FDA	Utah-Vernal Outside V6
Harvey, George	Wilson, Mike	Systems Administrator2	0	Spectra IT	Utah-Vernal Outside V6
Casanova, Chris	Wilson, Mike	Systems Administrator2	0	Spectra IT	Utah-Vernal Outside V6
Shaw, Jacob	Wilson, Mike	Systems Administrator2	0	Spectra IT	Utah-Roosevelt Corp HQ
Fisher, Ashly	Wilson, Mike	Systems Administrator2	0	Spectra IT	Utah-Vernal Outside V6
Simmons, Dmitry	Wilson, Mike	Systems Administrator2	0	Spectra IT	Utah-Roosevelt Corp HQ
Winter, Lucas	Wilson, Mike	Systems Administrator2	0	Spectra IT	Utah-Roosevelt Corp HQ
Chidarara, Langton	Wilson, Mike	Systems Administrator2	0	Spectra IT	Utah-Roosevelt Corp HQ
Miles, Charles	Young, Bert	Network Engineer Supervisor	4	Central Office Network	Utah-Roosevelt Corp HQ
Thompson, Jordon	Young, Bert	Software Developer	0	Network Operations	Utah-Roosevelt Corp HQ
Scott, Tom	Young, Bert	Software Developer	0	Network Operations	Utah-Roosevelt Corp HQ
Caldwell, Spencer	Young, Bert	Software Developer	0	Network Operations	Utah-Roosevelt Corp HQ
Murray, Shaun	Young, Bert	Software Developer	0	Network Operations	Utah-Roosevelt Corp HQ
Henderson, Travis	Young, Bert	Network Engineer Supervisor	0	Network Operations	Utah C.O. Data Center
Caldwell, Keith	Young, Bert	Network Engineer Supervisor	0	Network Operations	Utah-Roosevelt Corp HQ
De Los Santos, Javid	Young, Bert	Software Developer	0	Network Operations	Utah-Roosevelt Corp HQ
Hiatt, TJ	Young, Bert	Network Engineer Supervisor	0	Network Operations	Utah-Roosevelt Corp HQ
Carroll, Lucius	Young, Bert	Network Engineer Supervisor	0	Network Operations	Utah-Lehi
Powell, Gershom	Young, Bert	Network Engineer	0	Network Operations	Utah C.O. Data Center

CONFIDENTIAL EXHIBIT D

CHART OF ACCOUNTS

[submitted via SFTP]

CONFIDENTIAL EXHIBIT E

FINANCIAL STATEMENTS

[submitted via SFTP]

CONFIDENTIAL EXHIBIT F

PROFORMA FIVE-YEAR PROJECTIONS AND PROFORMA FINANCIAL STATEMENTS

[submitted via SFTP]

CONFIDENTIAL EXHIBIT G

MAP OF EXISTING FACILITIES

[submitted via SFTP]

EXHIBIT H
ORDERS GRANTING CETC STATUS IN UTAH AND COLORADO

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Petition of Uintah Basin Electronic Telecommunications, L.L.C. for Designation as an Eligible Telecommunications Carrier in the State of Utah for the Purpose of Offering Lifeline Service on a Wireless Basis	DOCKET NO. 20-2620-01 ORDER APPROVING STIPULATION AND SETTLEMENT AGREEMENT

ISSUED: September 29, 2020

On June 10, 2020, Uintah Basin Electronic Telecommunications, L.L.C. ("UBET") filed a Petition for Designation as an Eligible Telecommunications Carrier in the State of Utah for the Purpose of Offering Lifeline Service on a Wireless Basis and to Participate in the Utah Universal Service Fund for Lifeline Purposes ("Petition"). In the Petition, UBET seeks an eligible telecommunications carrier (ETC) designation, authorizing it to receive (1) federal universal service Lifeline support for qualifying Utah customers; (2) federal tribal universal service Lifeline support for qualifying Utah customers; and (3) Utah State Lifeline support from the Utah Universal Public Telecommunications Service Support Fund ("UUSF") for qualifying customers.

On September 10, 2020, the Division of Public Utilities (DPU), acting for the parties to the docket, filed a Stipulation and Settlement Agreement ("Settlement"), signed by DPU, the Office of Consumer Services (OCS), and UBET (collectively, the "Parties"). The Public Service Commission (PSC) held a hearing to consider the Settlement on September 22, 2020, during which UBET, DPU, and OCS provided testimony supporting the Settlement.

In the Settlement, the Parties stipulate and agree: UBET (1) meets the requirements for Federal ETC designation (2) will, for the most part, use its own facilities to provide its wireless service, including its own cellular and personal communications services antennas, towers, and

mobile switching offices; and (3) satisfies the requirements for receiving UUSF support. The Parties stipulate and agree that designating UBET as an ETC serves the public interest, convenience, and necessity, as defined in 47 U.S.C. § 214(e)(2).

The Settlement further provides:

1. UBET will use a Utah-specific fact sheet that provides customers concise and complete information about the services they will receive. UBET will provide the fact sheet to each new customer at the time of enrollment, and to existing customers upon request. UBET will also make the fact sheet available for download by posting it on UBET's website. UBET agrees to promptly update the fact sheet anytime it changes its Utah Lifeline program offerings.
2. UBET will receive $3.50 per qualifying line per month pursuant to Utah Admin. Code R746-8-403 and Utah Code Ann. § 54-8b-15.
3. UBET will comply with all applicable state service quality and consumer protection requirements and the CTIA Consumer Code.
4. UBET acknowledges that approval of the Petition and ongoing receipt of UUSF funds are conditioned upon the verified payment of all applicable state and local regulatory fees, including, but not limited to, universal service fees, emergency services, and relay services.
5. UBET agrees to adopt any changes to the certification and verification process required by the FCC or by the PSC.
6. Upon implementing any changes to its Lifeline offerings, UBET will timely file a notice with the DPU and OCS describing the changed plans.

At hearing, UBET, DPU, and OCS testified the terms of the Settlement are just and reasonable in result and that approval of the Settlement is in the public interest. No party opposed the Settlement.

FINDINGS, CONCLUSIONS AND ORDER

Settlements of matters before the PSC are statutorily encouraged. To approve a settlement, the PSC must consider the interests of the public and other affected persons and find the settlement is just and reasonable in result. Utah Code Ann. § 54-7-1.

Based on our consideration of the Petition, the submitted written testimony, the testimony at hearing, and the Settlement, the PSC finds and concludes that approval of the Settlement is in the public interest and that the terms of the Settlement are just and reasonable in result.

The PSC, therefore, approves the Settlement and grants the Petition, as conditioned and supplemented by the Settlement.

DATED at Salt Lake City, Utah, September 29, 2020.

/s/ Yvonne R. Hogle
Presiding Officer

Approved and Confirmed September 29, 2020, as the Order of the Public Service Commission of Utah.

/s/ Thad LeVar, Chair
/s/ David R. Clark, Commissioner
/s/ Ron Allen, Commissioner

Attest:
/s/ Gary L. Widerburg
PSC Secretary
DW#315677

Notice of Opportunity for Agency Review or Rehearing

Pursuant to §§ 63G-4-301 and 54-7-15 of the Utah Code, an aggrieved party may request agency review or rehearing of this Order by filing a written request with the PSC within 30 days after the issuance of this 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 does not grant a request for review or rehearing within 30 days after the filing of the request, 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 §§ 63G-4-401 and 63G-4-403 of the Utah Code and Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on September 29, 2020, a true and correct copy of the foregoing was served upon the following as indicated below:

By Email:

Bruce H. Todd (btodd@stratanetworks.com)
Uintah Basin Electronic Telecommunications, L.L.C.

Kira M. Slawson (kslawson@blackburn-stoll.com)
Blackburn & Stoll, LC

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ocs@utah.gov
Office of Consumer Services

_____
Administrative Assistant

Decision No. R13-0877

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13A-0020T

IN THE MATTER OF THE APPLICATION OF UINTAH BASIN ELECTRONICS TELECOMMUNICATIONS, INC. DBA STRATA NETWORKS FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER IN ITS SERVICE AREA.

RECOMMENDED DECISION OF ADMINISTRATIVE LAW JUDGE ROBERT I. GARVEY GRANTING APPLICATION FOR ELIGIBLE TELECOMMUNICATIONS CARRIER DESIGNATION

Mailed Date: July 16, 2013

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A. The Commission Orders That: 36

I. STATEMENT

1. On January 4, 2013, Uintah Basin Electronics Telecommunications, Inc., doing business as Strata Networks (Strata or Applicant), filed a verified Application for Designation as an Eligible Telecommunications Carrier (ETC) in its Service Area (Application).

2. Strata seeks designation as an ETC within the 110 and 168[1] Basic Trading Areas (BTAs) CenturyLink, Inc. local exchanges of Glenwood Springs, New Castle, Parachute, Rifle, Silt, Craig, Dinosaur, Hayden, Maybell, Meeker, Rangely, Oak Creek, Steamboat Springs, and Yampa in the State of Colorado pursuant to §§ 214 and 254 of the Telecommunications Act of 1996 and Rule 2187 of the Rules Regulating Telecommunications Providers, Services, and Products, 4 *Code of Colorado Regulations* (CCR) 723-2, as well as Federal Communications Commission (FCC) Universal Service, 47 *Code of Federal Regulations* (C.F.R.) § 54.101, *et seq*.

3. According to the Application, Strata seeks ETC designation in Colorado for the purpose of offering discounted telephone service supported by the Federal Universal Service Fund's (USF) Lifeline program to qualified Colorado low-income only households.

II. PROCEDURAL HISTORY

4. On January 9, 2013, the Commission gave notice of the Application.

[1] Strata's application was to provide coverage all or in part of the following wireline centers in the 970 area code and the Counties of Moffat, Routt, Rio Blanco, Garfield, Eagle Pitkin, Dinosaur, Maxwell, Craig, Hayden (Moffat);, Steamboat Springs, Oak Creek, Yampa, McCoy (Routt), Rangely, Meeker (Rio Blanco); Parachute, Rifle, Silt, Newcastle, Glenwood Springs (Garfield); Gypsum, Eagle, Basalt (Eagle); and Carbondale.

5. Timely interventions were filed in this matter by the Staff of the Commission (Staff); the Colorado Office of Consumer Counsel (OCC); and Union Telephone Company, doing business as Union Wireless (Union).

6. On February 20, 2013, the Commission deemed the application complete and referred this matter to an Administrative Law Judge (ALJ) for disposition.

7. By Decision No. R13-0332-I issued March 19, 2013, a procedural schedule was adopted which, among other things, set an evidentiary hearing for May 23 and 24, 2013, and set a deadline for filing Closing Statements of Position of June 7, 2013.

8. Direct testimony was filed on behalf of Strata by Mr. Karl Searle, Mr. Jon D. Loe, and Mr. Bert Potts. A portion of Mr. Potts' direct testimony was deemed as confidential. Rebuttal testimony was filed by Mr. Searle, Mr. Loe, and Mr. Potts.

9. Answer testimony was filed on behalf of Staff by Mr. John Scott.

10. Answer testimony was filed on behalf of the OCC by Mr. Ronald Fernandez.

11. Mr. Kevin Kleinsmith and Mr. Christopher Reno filed answer testimony on behalf of Union.

12. The evidentiary hearing was convened on May 23 and 24, 2013. Appearances were entered by Strata, Staff, OCC, and Union. Hearing Exhibits No. 1 through No. 17 were admitted into evidence. Administrative Notice was also taken of Proceeding No. 09A-771T. A portion or all of several exhibits were marked as confidential.

13. On June 7, 2013, Strata, Staff, OCC, and Union filed Closing Statements of Position.

III. FINDINGS OF FACT

14. Strata is licensed by the FCC to provide Commercial Mobile Radio Service (CMRS). Strata currently provides competitive CMRS in northwest Colorado, eastern Utah, and southwest Wyoming. Strata is headquartered in Vernal, Utah.

15. Strata has provided CMRS in Colorado since 2002 and is in good standing with the Colorado Secretary of State's Office.

16. Strata is a common carrier as defined in 47 U.S.C. § 153(10). The FCC regulates a CMRS provider as defined by 47 U.S.C. § 332(c)(1).

17. Strata intends to expand its coverage in Colorado if it receives ETC designation.

18. Strata has a five-year plan to expand coverage through the construction of new towers and antennas.

19. Strata uses Ericsson's CDMA IX Voice and EVDO Rev A Data technology (CDMA).

20. Handsets that work on a CDMA technology will not work on Global System for Mobile communication technology (GSM).

21. Handsets that work on GSM will not work on CDMA technology.

22. Strata provides all customers, including those roaming from other carriers, access to emergency services. Strata intends to provide enhanced 911 service consistent with FCC requirements.

23. Strata does not provide wireline services in Colorado.

24. Union provides both wireline and wireless service in Colorado, although the wireline is a very small part of the business.

25. Union uses GSM technology for its wireless services.

26. In the non-rural areas in which Strata seeks to gain ETC status, there is currently one Competitive ETC[2] (CETC) and one ETC[3] service provider.

27. In the rural areas in which Strata seeks to gain ETC status, there is currently one Competitive ETC service provider.

28. Staff believes that Strata has met the FCC requirements found in §§ 47 C.F.R. 54.201(d) and 54.202(a).

A. Argument of Strata

1. Designation of an Exchange as Mandatory/Discretionary

29. Strata argues that all but three of the areas they are seeking ETC designation fall into geographic areas in which the granting of ETC designation is "mandatory" if the applicant meets the "ETC checklist." The "ETC checklist" is commonly referred to as the requirements in the following FCC regulations and Commission rules: 4 CCR 723-2-2187; 47 C.F.R. 54.201(d) and 47 C.F.R. 54.202(a).

30. Since Trial Staff for the Commission has testified that Strata meets this "ETC checklist", Strata argues that the Commission has no discretion and is required to award ETC designation to Strata.

31. Strata relies upon Recommended Decision No. R11-0942 issued August 31, 2011; Commission Decision No. C11-0441 issued April 26, 2011; and Decision No. R11-1015-I issued September 21, 2011, all issued in Proceeding No. 09A-771T (Union Docket) for support of its

[2] Union.

[3] Qwest Corporation, doing business as CenturyLink QC.

argument. Strata argues that through these decisions the Commission defined *Rule 2187(b)*, 4 CCR 723-2 to provide for "mandatory" and "discretionary" areas.

32. Strata argues, rural areas that already have an ETC and areas served by non-rural providers with more than one (*i.e.,* at least two) ETCs in the area are discretionary if the applicant meets the "ETC checklist."

33. By this reading, rural areas without an ETC and non-rural areas with less than two ETCs in the area are mandatory.

34. Under this interpretation public interest only becomes a factor in the areas designated as discretionary.

35. Strata relies on the following language contained in Decision No. R11-1015-I to define the term ETC as used in Rule 2187(b) as CETC.

> In this regard, the ALJ interprets the Commission's reference to ETCs in relevant portions of the Remand Order to mean CETCs … The *Interim Cap Order* deals exclusively with limitations on Universal Service Fund (USF) support provided **to CETC's within competitive study areas**. Therefore, it makes little sense to consider the *Interim Cap Order* in areas where an incumbent ETC provider does not face competition from another ETC.
>
> ¶*15 Decision No. R11-1015-I* (emphasis in original)
>
> This deals with the Commission's finding that Discretionary Areas include non-rural areas in which there is already **more than one** (*i.e.,* at least two) common carriers designated as ETCs. Remand Order ¶¶ 18 and 19. In light of this finding, non-rural areas that do not already have at least two CETCs should be categorized as Mandatory Areas.
>
> ¶*17 Decision No. R11-1015-I* (emphasis in original)

36. This comports the later finding in Decision No. R12-0373-I, Proceeding No. 09A-771T issued on April 11, 2012, after the USF/ICC Transformation Order[4] was issued by the FCC.

37. Using this analysis Strata argues that, following the mandatory/discretionary findings made in the Union Docket, the exchanges in non-rural areas[5] in which Strata is requesting CETC designation should be designated as mandatory areas. Strata argues that these areas are currently served by only one CETC (Union). Since these areas are non-rural and there are less than two CETCs designated in the area, after meeting the "ETC checklist" it is mandatory that Strata be granted ETC status in these areas. In the rural exchanges[6] where a CETC already exists (Union), the designation of Strata as an ETC is discretionary.

38. Strata argues that the public interest factors that were ordered in the remand in the Union Docket, Decision No. C11-0441, are applicable only in the areas designated as discretionary.

2. Separate Subsidiary

39. The OCC has requested that Strata set up a separate Colorado wireless subsidiary in order to treat Strata the same way Union was treated when Union applied for ETC designation.

40. Strata argues that Union was required to set up a Colorado subsidiary due to the fact that Union had both wireline and wireless operations housed within the same company.

41. Strata has agreed to create specific sub-accounts related to funds received.

[4] *See* Exhibit 16

[5] Glenwood Springs, New Castle, Parachute, Rifle, Silt, Craig, Hayden, Meeker, Oak Creek, Steamboat Springs, and Yampa.

[6] Dinosaur, Maybell, and Rangley.

42. Strata argues that the largest wireless CETC in Colorado, Northeast Colorado Cellular, Inc. (Viaero), was not required to set up a separate Colorado subsidiary even though it maintains operations in Colorado, Kansas, Nebraska, and Wyoming.

43. Strata finds the fact that Viaero is a Colorado company is irrelevant since its wireless operations across four states are not separated by a subsidiary.

3. Discretionary Areas

44. Strata believes that, based upon the Union Docket, only three exchanges fall into the category of discretionary where a public interest test is required. These exchanges are Dinosaur, Maybell, and Rangely.[7]

45. Strata notes that Staff believes they should be granted ETC designation only in the Dinosaur and Rangley exchanges. This is based on the premise that all of the other exchanges are non-rural and served by other CETC carriers. Staff did not support designation in the Maybell exchange.

46. Strata rejects the assumption that rural areas with one wireless ETC are not "underserved." Strata argues that although there is an ETC designated in this area, no provider received support for these areas. Failure to win support from its bid will keep these areas "underserved". At hearing, Strata introduced Hearing Exhibit 17, which was represented as the cell coverage maps of Sprint, T-Mobile, Verizon, and AT&T. Strata suggests that the spotty coverage demonstrated by the maps in the northwest Colorado vicinity is indicative that some of the proposed exchanges are underserved, or possibly even unserved.

[7] Notably, Strata excluded certain exchanges for which it originally sought designation, including Basalt, Carbondale, Eagle, Gypsum, and McCoy.

47. Strata also argues that there is a major difference in the technology offered by Strata as compared to Union. The difference between the CDMA technology and the GSM technology will diversify competition and provide unique services. These differences include the use of different network platforms, handsets that are not compatible between the two technologies, different roaming areas, and the likelihood that different service packages will be offered between the competitors. The public interest test according to 47 C.F.R. § 54.202(c) requires that the Commission consider the benefits of increased consumer choice, and the unique advantages and disadvantages of the Applicant's service offering.

B. Argument of Staff

48. Staff relies upon the language contained in Rule 2187(b)[8] to support its argument that all applications for an ETC start with a public interest analysis.

49. Staff points to the first sentence in Rule 2187(b) which states, "Upon request and consistent with the public interest, convenience and necessity …" and the last sentence which states, "Before designating an additional ETC for an area served by a rural telecommunications provider, the Commission shall find that the designation is in the public interest."

50. Staff argues that the plain meaning of both of these sentences requires that a public interest test be conducted by the Commission before any other analysis.

51. Staff states that this public interest test is a combination of Colorado statutes, Commission rules, the Transformation Order,[9] and standards listed in the Union Docket.

[8] Staff also lists Rule 2187(a) for support of their argument but fails to incorporate it other than by reference.

[9] *See* Exhibit 16.

52. The Transformation Order also references § 47 C.F.R. 54.202 for some of the public interest standards but adds a requirement of providing broadband service.

53. Staff further states that the Transformation Order creates an expectation that state commissions shall do a "rigorous examination" of factual information contained in annual reports to determine if a carrier's support has and will be used for the intended purpose. This language, Staff argues, implores state commissions to choose the best ETC provider in each exchange.

54. Staff also believes that the public interest test stated in the Union Docket is also appropriately conducted upon the filing of the application. The test from Decision No. R11-1384-I, Proceeding No. 09A-771T issued December 21, 2011, is as follows:

(a). whether telecommunications customers located in any of the Discretionary Areas are underserved and, if so, whether designating Union as an ETC in such areas will assist in rectifying such under-service;

(b) whether the goal of universal telecommunications service has been achieved in any of the Discretionary Areas and, if not, whether designating Union as an ETC within such areas will further that goal;

(c) whether designating Union as an ETC in any of the Discretionary Areas is necessary to allow it to build out its wireless network within those areas;

(d) whether designating Union as an ETC in any of the Discretionary Areas will result in complementary as opposed to competitive telecommunications services in those areas; and

(e) whether Union intends to use any USF funds it might receive as a result of being designated as an ETC in any of the Discretionary Areas to support enhanced services and, if so, whether such use is inappropriate.

55. Upon the completion of these public interest tests, Staff argues that a "numerical test" is conducted "based on the number of non-rural, rural, ETCs and CETCs in an exchange" to determine if an area is discretionary or mandatory.

56. The "numerical test" that Staff urges the Commission to adopt is the same test that Strata urges the Commission to adopt, although Staff interprets the test in a different way. Staff looks only to Commission Decision No. C11-0441 and the following language:

> We interpret that language to mean that, if there is already more than one common carrier designated as an ETC in an area not served by a rural telecommunications provider, that ETC designation would not fall into the "shall" category but would be discretionary upon the Commission.
>
> ¶18 Commission Decision No. C11-0441.

57. Staff does not follow the ruling made by the ALJ in Decision No. R11-1015-I and does not interpret the term ETC to mean CETC for the purposes of determining if an area is mandatory or discretionary. By Staff's interpretation, since all rural areas contain at least one ETC (Union) and all non-rural areas contain two ETCs (Union and Qwest Corporation, doing business as CenturyLink QC), all areas Strata is seeking ETC designation would be discretionary to the Commission.

58. Since all of the areas Strata is seeking are discretionary, according to Staff, an additional public interest test is necessary. In their statement of position, Staff indicates that the additional public interest tests are those "set out by Mr. Scott in his testimony".[10] The test set out in Mr. Scott's testimony is the same test as ALJ Dale Isley used in the Union Docket with Strata inserted in place of Union and the reference to USF funds removed[11].

59. Following this analysis, Staff believes that the public interest is served by granting Strata ETC status in the Dinosaur and Rangely areas. Staff argues that the commitment to build out 4G service in these areas supports the direction of the Transformation Order and therefore is in the public interest.

[10] Staff of the Commission Statement of Position, p. 14.

[11] See exhibit 11, p 9-10.

60. Staff does not believe that it would be in the public interest for Strata to be granted ETC designation in any other areas. Staff argues that "the goals of universal service at the federal level as espoused by the FCC and the goal of universal service in the State of Colorado may not always be the same."[12]

61. Staff argues that because the goals of the FCC and the State of Colorado may not be the same, the Commission should "designate ETC's most likely to actually provide, maintain and expand both broadband which will provide the underlying basic local service in underserved and unserved areas." [13]

62. Staff believes that Strata should maintain specific subaccounts for tracking expenses, investments, and revenues for Colorado ETC operations. Staff does not recommend that Strata set up a Colorado-based subsidiary.

C. Argument of the OCC

63. The OCC believes that there is a threshold determination that ETC designation for an applicant is in the public interest.

64. The OCC argues that under Rule 2187(b), 4 CCR 723-2, a request for ETC designation be "consistent with the public interest, convenience and necessity" and under the *FCC 2005 ETC* Order[14] also requiring a public interest test. The OCC lists the following analysis from the *FCC 2005 ETC Order:*

a. The benefits of increased consumer choice;

b. the impact of the designation on the universal service fund, and

[12] Staff of the Commission Statement of Position, p. 14.

[13] *Id.,* p. 16

[14] *Federal-State Joint Board on Universal Service*, CC Docket 96-45, Report and Order; FCC 05-46 (Rel. March 17, 2005).

c. the unique advantages and disadvantages of the competitor's service offering.

65. The OCC also lists the following factors from the same *FCC 2005 ETC Order:*

a. The fundamental goals of preserving and advancing universal service;

b. Ensuring the availability of quality telecommunications services at just, reasonable and affordable rates, and

c Promoting the deployment of advanced telecommunications and information services.

d. State commissioners have used additional factors to analyze whether the designation of an ETC is in the public interest.

66. The OCC in sum believes that as a threshold matter the Commission must:

a. Determine that an ETC designation is in the public interest, convenience and necessity;

b. Ensure that applicants for ETC designation meet the *FCC 2005 ETC Order* requirements, including any additional factors that state commissioners may deem to be part of the public interest;

c. Increased competition and consumer choice are not sufficient to meet the public interest determination;

d. Public interest benefits of a particular ETC designation must be determined on a case-by-case basis.

67. The OCC also argues that the FCC Transformation Order added a requirement of broadband services to the public interest test that must be done as a threshold requirement.

68. Any analysis done out of the holding of the Union Docket is to be done after this threshold public interest test.

69. The OCC argues that the Commission should make a determination of if it is in the public interest to designate an area either discretionary or mandatory.[15] Based upon other

[15] Testimony of Ronald Fernandez, p. 5.

companies[16] serving the areas that Strata is seeking ETC designation, OCC argues that all of the areas Strata is seeking designation as an ETC are discretionary.

70. The OCC does not argue that Strata fails to meet this threshold public interest analysis, only that the analysis is required and that none of the areas are mandatory. The OCC does not argue that there are two public interest tests that should be conducted by the Commission in areas designated as discretionary.

71. The OCC recommends that if ETC status is granted to Strata, that Strata be required to create a separate Colorado wireless subsidiary and require it to transfer the FCC spectrum licenses for BTA 110 and BTA 168 to the separate Colorado wireless subsidiary.

72. The OCC believes that the separate Colorado wireless subsidiary is necessary due to the corporate structure of Strata. The OCC argues that due to this corporate structure there is a risk of comingling of funds and cross-subsidization, and urges the Commission to follow the decision made by the Commission in the Union Docket to order Union to create a Colorado wireless subsidiary.

73. The OCC finally recommends that the FCC spectrum licenses for BTA 110 and BTA 168 be transferred to the Colorado wireless subsidiary that they recommend the Commission order Strata to create.

D. Argument of Union

74. Union initially argues that Strata fails to meet the basic requirements in order to be designated an ETC. Union does not feel that Strata has properly addressed whether they will meet the requirements of toll blocking. Union argues that Strata's statement that they will

[16] The testimony of Ronald Fernandez lists CenturyLink, Union, Verizon, AT&T, Sprint, and T-Mobile, but does not state if these companies are CETCs or ETCs.

comply with all Commission and FCC ETC rules is insufficient. In addition, Union argues that since Strata is required to mirror local service and a local rate plan, that Strata should not be allowed to require a contract.

75. Union also argues that a public interest determination is required as a threshold issue.

76. Union looks to the FCC transformation Order for the factors to be used in a public interest test. From the FCC Transformation Order, Union believes the fundamental goal of the public interest test is to ensure appropriate telephony service, including voice and broadband in all regions of the nation at rates reasonably comparable to urban rates.

77. Union argues that multiple bidders in the FCC reverse action will drive bids down and result in a less "robust" system and therefore fewer funds will flow to Colorado. This less robust system and the lower funds for Colorado is not in the public interest. Not only does Union argue that granting Strata ETC designation is not in the public interest, it is actually contrary to the public interest.

78. Union does not address if the areas Strata seeks to obtain ETC designation are mandatory or discretionary, although failing the threshold public interest test, it would be assumed that Union does not feel it is necessary to make that determination.

79. Union also believes that a separate Colorado wireless subsidiary should be required of all applicants or should no longer be required of Union.

IV. FINDINGS AND CONCLUSIONS

A. The Union Docket

80. Strata is seeking designation as an ETC in several areas in Colorado. Throughout the hearing and within in each party's statement of position, the Union Docket has been cited to

advance a proposition, for at times contrary positions. There has also been an argument that "Strata should be treated like Union," and each party has used this statement to support its own position.

81. Any discussion of the issues involved with the instant proceeding should start with a full understanding of the history of the Union Docket. To pick out pieces of different decisions made in that proceeding without the context of how and why the Commission and ALJs came to those decisions may be misleading. Also important is the history after the decision in the Union Docket was reached. The environment of the above-captioned proceeding is not the same as the one in which the Union Docket was decided.

82. On November 23, 2010, after a hearing on June 28, 2010, Decision No. R10-1264 was issued in Proceeding No. 09A-771T. ALJ Isley, in his decision, granted ETC designation to Union finding that the company had satisfied "the basic criteria set forth in Rule 2187," which the ALJ stated were:

a. that it is a common carrier;

b. that it will offer the supported services within the area of Colorado for which it seeks such a designation;

c. that it will offer such services using either its own facilities or a combination of its own facilities and the resale of other carriers' services;

d. that it will advertise the availability of the supported services using media of general distribution; and

e. that it will make available Lifeline service to qualifying low-income customers. [17]

[17] Decision No. R10-1264 ¶62

83. Further the ALJ stated the record established, subject to agreement to conditions[18] that designation of Union as an ETC, in most of the requested areas, was in the public interest.

84. ALJ Isley used the following factors in his determination of public interest:

a. Such a designation will promote the goals of universal service by providing a variety of benefits to consumers. These benefits included:

   i. providing high-quality service offerings;

   ii. increased mobility;

   iii. product and service innovation;

   iv. promoting efficiency;

   v. creating incentives to ensure that quality services are available at just, reasonable, and affordable rates;

   vi. improving service quality;

   vii. ensuring access to services comparable to those provided in urban areas; and

   viii. providing alternatives to wireline service.

b. Making Union eligible for USF support will enable it to construct additional telecommunications facilities or accelerate planned construction within the subject service area.

c. On balance, the advantages of designating Union as an ETC outweigh any disadvantages of doing so.[19]

85. In his decision ALJ Isley rejected arguments from Staff and the OCC that the public interest analysis should include factors listed in the FCC Interim Cap Order. The ALJ also rejected the recommendation that Union be required to set up a wireless subsidiary as a condition to receiving ETC designation.

[18] ALJ Isley conditioned the granting of the ETC designation upon Union offering and advertising (in media of general circulation and on its website) a month-to-month wireless basic universal service plan with unlimited calling at rates comparable to those assessed by the incumbent local exchange carriers in each Colorado telephone exchange listed in an appendix with the decision. This is found in ordering ¶3.

[19] Decision No. R10-1264 ¶63

86. In their exceptions, both Staff and the OCC argued that the public interest analysis articulated in the FCC Interim Cap Order was required to be applied in the Union Docket.

87. Union, in its Response, argued that the language in *Rule* 2187(a), 4 CCR 723-2, was "mandatory rather than permissive and requires that a carrier such as Union shall be designated as an ETC if it files an application and meets the requirements of 47 C.F.R. §54.201(d)."[20]

88. Union also noted that the ALJ found that the designation was in the public interest. Union argued that the public interest inquiry conducted by ALJ Isley met the public interest requirements of Rule 2187(b), 4 CCR 723-2.[21]

89. The Commission in Decision No. C11-0441 declared that:

> The threshold issue is whether the Commission must grant Union's application for ETC designation if the requirements of 47 CFR § 54.201(d) are met, as Union argues, or whether the Commission has discretion in this matter and should consider the public interest implications of an ETC designation, as Staff and the OCC argue. Rule 2187(a) is mandatory and contains the word "shall" while Rule 2187(b) is permissive and contains the word "may."[22]

90. The Commission resolved what it considered to be a conflict between the two rules by following the rules of statutory interpretation that "if a general statute or a rule conflicts with a more specific provision, the more specific provision acts as an exception to the more general one."[23]

[20] Response of Union Telephone Company to Exceptions of Staff and OCC, Proceeding No. 09A-771T, p. 5.

[21] *Id.*

[22] Commission Decision No. C11-0441 ¶18.

[23] *Id.* at ¶19.

91. In following this rule of statutory interpretation, the Commission created the designation of areas where an application has been made for an ETC to be either discretionary or mandatory:

> We find that, for areas served by rural telecommunications providers that already have an ETC, public interest becomes a factor in addition to the requirements listed in 47 CFR § 54.201(d) and designation of an additional ETC is discretionary, rather than mandatory. ETC designation is also discretionary in areas not served by a rural telecommunications provider if there is already more than one ETC in that area.

92. The Commission then addressed the extent to which the Interim Cap Order was relevant to the public interest analysis in areas that were found to be discretionary:

> We find that the interim cap should be taken into account as one of the factors in a determination of whether an additional ETC designation in "**discretionary"** areas is in the public interest.[24]
>
> (Emphasis added)

93. On remand the ALJ was directed, as a threshold matter, to determine which areas in the proposed service area were discretionary. In the areas the ALJ determined were discretionary he was directed to conduct a public interest analysis that considered the Interim Cap Order.

94. The Commission then addressed exceptions of the OCC and Staff regarding the formation of a subsidiary. The argument of the OCC was that due to the corporate structure of Union there was the danger of cross subsidization and commingling of funds.

> Union is a Wyoming corporation, operating in Colorado as a foreign corporation, and provides wireline, wireless, cable, Internet, and/or long distance services in Wyoming, Utah and Colorado. In other words all of these services in all of these states are operated out of only one entity using common facilities.[25]

[24] *Id.* at ¶21.

[25] Proceeding No. 09A-771T, Exceptions of the Colorado Office of Consumer Counsel to Decision No. R10-1264, p. 27-28.

95. The OCC argued that Union should be required to create a "**wireless subsidiary**."[26]

96. The Commission agreed with the arguments of the OCC stating:

> We agree with the OCC and Staff[27] that Union's corporate structure raises concerns of cross-subsidization and comingling across regulated, unregulated, and deregulated operations in four states. We also agree that a lack of **a separate wireless subsidiary** would make it difficult for Staff and the OCC to monitor the receipt of USF funds allocated to Colorado and verify that these funds are being used for their intended purpose in the State of Colorado. *Emphasis added.*

97. On remand, ALJ Isley interpreted the Remand Order this way:

> In the Remand Order the Commission found that the threshold issue surrounding this case was whether it must grant Union's eligible telecommunications carrier (ETC) application if the requirements of 47 *Code of Federal Regulations* § 54.201(d)[28] are met, as Union contends; or whether it has discretion to consider the public interest implications of an ETC designation as contended by Staff and the OCC. It concluded that under 4 *Code of Colorado Regulations* (CCR) 723-2-2187(b), Rules Regulating Telecommunications Providers, Services, and Products, it has discretion to grant Union's ETC designation request in the following areas encompassed by its proposed service territory: (1) areas served by a rural telecommunications provider that already have an ETC; or (2) areas not served by a rural telecommunications provider that have more than one ETC (Discretionary Areas). It further found that under 4 CCR 723-2-2187(a), ETC designation is mandatory in all other portions of Union's proposed service territory (Mandatory Areas). *See,* Remand Order ¶¶ 18-19. It then found that the Federal Communication Commission's *Interim Cap Order*[29] was relevant and should be considered in determining whether it is in the public interest to grant Union ETC designation in the Discretionary Areas.[30]

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[26] *Id*. at p. 27, 29.

[27] It should be noted that Staff addressed this issue in their Post-Hearing Statement of Position although they did not address this issue in their Exceptions. Staff's first argument in their Post-Hearing Statement of Position was "Union Telephone should create a subsidiary or separate entity, Union Wireless, that provides a wireless service and seeks ETC designation."

[28] To be designated an ETC under 47 C.F.R. § 54.201(d) an applicant must demonstrate: (a) that it is a common carrier; (b) an intent and ability to provision the supported services set forth in 47 C.F.R. § 54.101(a); and (c) an intent and ability to advertise its universal service offerings and the charges therefore using media of general circulation.

[29] *In the Matter of High Cost Universal Service Support,* 2008 WL 1930572, 23 F.C.C.R. 8834 (F.C.C. May 1, 2008).

[30] Proceeding No. 09A-771T, Decision No. R11-0942-I, ¶8.

98. ALJ Isley then attached an appendix which listed all of the exchanges Union was seeking ETC designation in the application. Based upon if they were rural or non-rural and the number of CETCs already in each exchange, it was determined if an exchange was designated discretionary or mandatory.[31]

99. ALJ Isley invited the parties to submit written comments/arguments regarding his initial determinations.

100. In Decision No. R11-1015-I, issued on September 21, 2011, ALJ Isley addressed comments submitted by Staff and the OCC concerning the public interest test which was ordered by the remand:

> Initially, both Staff and the OCC submit that when considering ETC designation applications, a public interest analysis (which includes consideration of the *Interim Cap Order*) should be applied to the entire proposed service area for which a competitive ETC (CETC) seeks designation, not just the Discretionary Areas. However, this is clearly inconsistent with the discretionary area/mandatory area analysis set forth in the Remand Order and, if adopted, would vitiate that analysis.[32]

101. While rejecting the argument that both discretionary and mandatory areas required a public interest test that included consideration of the Interim Cap Order, ALJ Isley reaffirmed the fact that a public interest analysis was required "in connection with the entire proposed service area encompassed by a CETC application." [33]

[31] As they relates to the instant proceeding ALJ Isley determined that the following areas were mandatory since they were non-rural and without a CETC: Glenwood Springs, New Castle, Parachute, Rifle, Silt, Craig, Hayden, Meeker, Oak Creek, Steamboat Springs and Yampa. Dinosaur, Maybell and Rangley were determined to be mandatory since they were rural without a CETC.

[32] Proceeding No. 09A-771T, Decision No. R11-1015-I, ¶10.

[33] *Id.* at ¶11.

102. ALJ Isley also addressed concerns raised by the OCC asking for clarification as to whether the reference to "Other ETCs" in Appendix I related to CETCs or all ETCs:

> In this regard, the ALJ interprets the Commission's reference to ETCs in relevant portions of the Remand Order to mean CETCs. Remand Order ¶¶ 18, 19 and 21. This conclusion is supported by the fact that the underlying purpose of the discretionary/mandatory area analysis contained in the Remand Order is to determine what areas merit consideration of the *Interim Cap Order* in connection with the public interest analysis. The *Interim Cap Order* deals exclusively with limitations on Universal Service Fund (USF) support provided **to CETC's within competitive study areas**. Therefore, it makes little sense to consider the *Interim Cap Order* in areas where an incumbent ETC provider does not face competition from another ETC. This is consistent with Staff's recommendation that Union be granted ETC status "in the exchanges where…[it]…will be the only competitive ETC provider to bring competition in those areas." Staff Statement of Position at page 9. Accordingly, the column originally labeled "Other ETCs" on Appendix I will be modified on Revised Appendix I to refer to "Other CETCs."[34]

103. Proceeding No. 09A-0771T was scheduled for a new evidentiary hearing. Prior to the hearing taking place, the FCC issued Order No. 11-161 or the Transformation Order and ALJ Isley retired. ALJ Keith J. Kirchubel had the parties brief and make presentations at a procedural conference on what effects they believed the Transformation Order had upon the proceeding.

104. In Decision No. R12-0373-I, Proceeding No. 09A-771T issued April 11, 2012, ALJ Kirchubel found the Transformation Order had superseded the Interim Cap Order, but it did not eliminate the public interest analysis for applications for ETC status, it only added a new requirement that ETCs must offer broadband data services. The ALJ found that this new analysis, with the prior Interim Cap Order public interest test, was only applicable to the areas that had been designated discretionary.[35]

[34] *Id*. at ¶15.

[35] Proceeding No. 09A-771T, Decision No.R12-0373-I, ¶10, 11.

105. On July 12, 2012, the parties filed their Motion for Approval of Stipulation and Agreement and the evidentiary hearing was subsequently vacated. As part of the stipulation, Union agreed to create a wireless subsidiary.

106. It should be noted, that since the filing of the application by Union in Proceeding No. 09A-771T, Rule 2187(a), 4 CCR 723-2, has been amended. The changes made to the rule are as follows:

> The Rule at the time of Union Telephone's application was as follows:
>
> (a) The Commission shall, upon application, designate a common carrier that meets the requirements of 47 C.F.R. § 54.201(d) as an ETC for a service area designated by the Commission.
>
> The Rule at the time of Strata's application was as follows:
>
> (a) The Commission shall, upon application, designate a common carrier that meets the requirements of 47 C.F.R. § 54.201(d) **and § 54.202 and paragraph 2187(b)** as an ETC for a service area designated by the Commission.
>
> Emphasis added.

107. When the Remand Order was issued in the Union Docket, the additional requirements of § 54.202 and paragraph 2187(b) did not exist. The addition of these requirements makes the instant proceeding different from the Union Docket and must be viewed in this light.

B. The Strata Application

1. Rule 2187(a)

108. As indicated *supra*, Strata seeks designation as an ETC. It seeks ETC designation pursuant to Commission Rule 2187. Subsection (a) of Rule 2187 provides that the Commission shall, upon application, designate a common carrier that meets the requirements of 47 C.F.R.

§ 54.201(d) and § 54.202 and paragraph 2187(b) as an ETC for a service area designated by the Commission. To be designated an ETC under 47 C.F.R. § 54.201(d) an applicant must:

(1) demonstrate that it is a common carrier;

(2) demonstrate an intent and ability to provision the supported services set forth in 47 C.F.R. § 54.101(a) throughout its designated service areas;[36] and

(3) demonstrate an intent and ability to advertise its universal service offerings and the charges therefore, using media of general distribution.

109. The new requirements under Rule 2187(a) include those in 47 C.F.R. § 54.202:

> **(a)** In order to be designated an eligible telecommunications carrier under section 214(e)(6), any common carrier in its application must:
>
> **(1) (i)** Commit to provide service throughout its proposed designated service area to all customers making a reasonable request for service. Each applicant shall certify that it will:
>
> **(A)** Provide service on a timely basis to requesting customers within the applicant's service area where the applicant's network already passes the potential customer's premises; and
>
> **(B)** Provide service within a reasonable period of time, if the potential customer is within the applicant's licensed service area but outside its existing network coverage, if service can be provided at reasonable cost by:
>
> (*1*) Modifying or replacing the requesting customer's equipment;
>
> (*2*) Deploying a roof-mounted antenna or other equipment;
>
> (*3*) Adjusting the nearest cell tower;
>
> (*4*) Adjusting network or customer facilities;
>
> (*5*) Reselling services from another carrier's facilities to provide service; or
>
> (*6*) Employing, leasing or constructing an additional cell site, cell extender, repeater, or other similar equipment.

[36] The supported services set forth in 47 C.F.R. §§ 54.101(a)(l)-(9) are: (a) voice grade access to the public switched telephone network; (b) local usage; (c) dual tone multi-frequency signaling or its functional equivalent; (d) single-party service or its functional equivalent; (e) access to emergency services; (f) access to operator services; (g) access to interexchange service; (h) access to directory assistance; and (i) toll limitation for qualifying low-income consumers. *See also,* 47 USC § 254(c).

(ii) Submit a five-year plan that describes with specificity proposed improvements or upgrades to the applicant's network on a wire center-by-wire center basis throughout its proposed designated service area. Each applicant shall demonstrate how signal quality, coverage or capacity will improve due to the receipt of high-cost support; the projected start date and completion date for each improvement and the estimated amount of investment for each project that is funded by high-cost support; the specific geographic areas where the improvements will be made; and the estimated population that will be served as a result of the improvements. If an applicant believes that service improvements in a particular wire center are not needed, it must explain its basis for this determination and demonstrate how funding will otherwise be used to further the provision of supported services in that area.

(2) Demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.

(3) Demonstrate that it will satisfy applicable consumer protection and service quality standards. A commitment by wireless applicants to comply with the Cellular Telecommunications and Internet Association's Consumer Code for Wireless Service will satisfy this requirement. Other commitments will be considered on a case-by-case basis.

(4) Demonstrate that it offers a local usage plan comparable to the one offered by the incumbent LEC in the service areas for which it seeks designation.

(5) Certify that the carrier acknowledges that the Commission may require it to provide equal access to long distance carriers in the event that no other eligible telecommunications carrier is providing equal access within the service area.

(b) Any common carrier that has been designated under section 214(e)(6) as an eligible telecommunications carrier or that has submitted its application for designation under section 214(e)(6) before the effective date of these rules must submit the information required by paragraph (a) of this section no later than October 1, 2006, as part of its annual reporting requirements under § 54.209.

(c) Public Interest Standard. Prior to designating an eligible telecommunications carrier pursuant to section 214(e)(6), the Commission determines that such designation is in the public interest. In doing so, the Commission shall consider the benefits of increased consumer choice, and the unique advantages and disadvantages of the applicant's service offering. In instances where an eligible telecommunications carrier applicant seeks designation below the study area level of a rural telephone company, the Commission shall also conduct a cream skimming analysis that compares the population density of each wire center in which the eligible telecommunications carrier applicant seeks designation against that of the wire centers in the study

> area in which the eligible telecommunications carrier applicant does not seek designation. In its cream skimming analysis, the Commission shall consider other factors, such as disaggregation of support pursuant to §54.315 by the incumbent local exchange carrier.
>
> **(d)** A common carrier seeking designation as an eligible telecommunications carrier under section 214(e)(6) for any part of tribal lands shall provide a copy of its petition to the affected tribal government and tribal regulatory authority, as applicable, at the time it files its petition with the Federal Communications Commission. In addition, the Commission shall send the relevant public notice seeking comment on any petition for designation as an eligible telecommunications carrier on tribal lands, at the time it is released, to the affected tribal government and tribal regulatory authority, as applicable, by overnight express mail.
>
> **(e)** All eligible telecommunications carriers shall retain all records required to demonstrate to auditors that the support received was consistent with the universal service high-cost program rules. These records should include the following: data supporting line count filings; historical customer records; fixed asset property accounting records; general ledgers; invoice copies for the purchase and maintenance of equipment; maintenance contracts for the upgrade or equipment; and any other relevant documentation. This documentation must be maintained for at least five years from the receipt of funding.

110. Contained within 47 C.F.R. § 54.202(c) is a public interest standard or "test". This test is similar to the public interest factors used by ALJ Isley for all areas contained in the Union Docket in Recommended Decision No. R10-1264.

111. Again these provisions were not contained in Rule 2187(a) at the time the Union Docket was decided. These added provisions require unequivocally that in all applications for ETC designation, a public interest test is conducted before there is any concern if ETC designation for an exchange is either discretionary or mandatory.

112. This initial public interest determination is not a new requirement. There has always been a threshold public interest determination made in any ETC application.[37]

[37] The Union Docket made it clear that there is a threshold public interest determination. *See* Proceeding No. 09A-771T, Decision No.R11-1015-I, ¶11.

The addition of the requirements of § 54.202(c) only make it clear and without question that a public interest determination is made and what factors should be assessed.

113. Staff witness John Scott stated in his Answer testimony that he believed that Strata had met the requirements of 47 C.F.R. §§ 54.201(d), 54.202(a) and Rule 2187(a).[38] Yet it must be understood that Mr. Scott, by testifying that Strata met the requirements under Rule 2187(a), is also stating that Strata met the all the requirements of 47 C.F.R. § 54.202, including the public interest analysis, since it is incorporated in the rule.

114. Mr. Scott also testified that Strata had demonstrated it has met the managerial qualifications and has the financial resources necessary under Rule 2187[39].

115. OCC witness Ron Fernandez recommended that Strata's application be denied but not due to concerns with Strata meeting the requirements in of 47 C.F.R. §§ 54.201(d), 54.202(a), and Rule 2187(a), but rather to Strata's reluctance to create a Colorado wireless subsidiary.

116. Union also opposes the application of Strata. Union argues that the declarations of Strata that it will "comply with all Commission and FCC ETC rules"[40] in response to requirements involving toll blocking, are insufficient.

117. The declarations by Strata have not caused concern for Staff or the OCC, and there is no reason to believe that Strata will not follow Commission or FCC rules. There was no evidence presented that in Colorado or in any other state Strata has failed to meet its obligations under any rule or statute.

[38] Exhibit 11, p. 4 lines 4-6.
[39] *Id.* at p.5 lines 15-17
[40] Exhibit 7, p. 16 lines3-5.

118. Union also argues that the initial public interest standard, which is required as a threshold issue, has not been met by Strata. This argument is based upon Strata's alleged failure to meet public interest standards based upon the Transformation Order. This argument is not based upon the failure to meet any public interest standards contained within 47 C.F.R. § 54.202(c).

119. Upon the filing of an application for ETC designation, a determination is made in regard to whether the applicant meets the requirements of Rule 2187(a). The requirements of Rule 2187(a) are that the federal requirements under 47 C.F.R. §§ 54.201(d), 54.202 and Rule 2187(a) are satisfied. Contained within 47 C.F.R. § 54.202(c) is the threshold public interest requirement for all applicants for ETC designation. That standard for the public interest determination is as follows:

> *(a)* The Commission shall consider the benefits of increased consumer choice, and the unique advantages and disadvantages of the applicant's service offering.
>
> *(b)* In instances where an eligible telecommunications carrier applicant seeks designation below the study area level of a rural telephone company, the Commission shall also conduct a cream skimming analysis that compares the population density of each wire center in which the eligible telecommunications carrier applicant seeks designation against that of the wire centers in the study area in which the eligible telecommunications carrier applicant does not seek designation. In its cream skimming analysis, the Commission shall consider other factors, such as disaggregation of support pursuant to §54.315 by the incumbent local exchange carrier.

120. The evidence in the record establishes that granting Strata ETC designation is in the public interest as defined in 47 C.F.R. § 54.202(c). Designation as an ETC will promote the goals of universal service by providing a variety of benefits to consumers. The benefits include increasing consumer choice by introducing CDMA technology: providing high-quality service offerings; product and service innovation; promoting efficiency; creating incentives to ensure

that quality services are available at just, reasonable, and affordable rates; and improving service quality. In addition, designating Strata as an ETC will enable it to bid in the FCC CAF II reverse auction and, if successful, construct additional telecommunications facilities or accelerate planned construction within the subject service area. It is likely that there are many areas that are unserved in the proposed area.[41] The advantages of designating Strata as an ETC therefore outweigh any disadvantages.

121. The evidence in the record also establishes that Strata has met the requirements under Rule 2187 for managerial and financial fitness.

122. In the instant proceeding Strata has met the requirements found in 47 C.F.R. §§ 54.201(d), and 54.202. By meeting these requirements, Strata has met the requirements of Rule 2187(a).

2. Rule 2187(b)

123. Contained within the language of Rule 2187(b) is the justification used by the Commission in the Union Docket for requiring the additional test of public interest. Before the additional public interest test is done, there must first be a determination if the granting of an ETC designation in a proposed exchange is mandatory or discretionary for the Commission.

124. In the remand order in the Union Docket the Commission made the following finding:

> We find that, for areas served by rural telecommunications providers that already have an ETC, public interest becomes a factor in addition to the requirements listed in 47 CFR § 54.201(d) and designation of an additional ETC is discretionary, rather than mandatory. ETC designation is also discretionary in areas not served by a rural telecommunications provider if there is already more than one ETC in that area.

[41] *See* Hearing Exhibit 17.

125. ALJ Isley later determined that ETC as used in the remand order referred to CETCs. *See ¶ 102.*

126. The parties have read these decisions of the Union Docket and have a profound difference of opinion as to what constitutes a discretionary versus a mandatory area.

127. The disagreement between the parties is based upon, whether when conducting the numerical test to determine if an exchange is discretionary or mandatory, it is the number of ETCs or the number of CETCs in an exchange that is used to make the determination.

128. Strata urges that the Commission follow the decision[42] of ALJ Isley and ALJ Kirchubel[43] in making a discretionary/mandatory determination based upon the number of CETCs in an area.

129. The OCC and Staff urge that the Commission only look to ETCs and not follow the non-binding decision of ALJ Isley.[44]

130. In a recent proceeding this issue was addressed by ALJ Paul C. Gomez. In Decision No. R13-0634 issued May 28, 2013, ALJ Gomez found that since the issuance of the FCC's CAF Order[45] that ALJ Isley's line of reasoning "remains relevant and is applicable here."[46]

[42] Proceeding No. 09A-771T, Decision No. R11-1015-I, ¶15.

[43] Proceeding No. 09A-771T, Decision No. R12-0373-I, ¶11.

[44] Post Hearing Statement of Position of the Colorado Office of Consumer Counsel, p. 5, and Exhibit 11 p. 4 lines 10-17. Union fails to provide an analysis as to how the Commission should determine if an area is mandatory or discretionary.

[45] FCC Transformation Order

[46] Proceeding No. 12A-1186T, Recommended Decision No.R13-0634, ¶73.

131. The undersigned ALJ agrees with the findings of ALJ Isley and the recent ruling of ALJ Gomez and will follow their sound reasoning and make the determination of mandatory or discretionary exchanges based upon the number of CETCs in an exchange.

132. The following exchanges: Glenwood Springs, New Castle, Parachute, Rifle, Silt, Craig, Hayden, Meeker, Oak Creek, Steamboat Springs, and Yampa have met the requirements of 47 C.F.R. §§ 54.201(d), 54.202(a), Rule 2187(a), and the threshold public interest test. Each of the above listed areas is Non-Rural and are currently served by only one[47] CETC.[48] Based on the Commission's previous interpretation of Rule 2187(b) these areas are deemed to be mandatory, and having met the requirements of 47 C.F.R. §§ 54.201(d), 54.202(c), Rule 2187(a), and the threshold public interest test, Strata shall be granted ETC designation.

133. The following exchanges: Dinosaur, Maybell, and Rangley have met the requirements of 47 C.F.R. §§ 54.201(d), 54.202(a), Rule 2187(a) and the threshold public interest test. Each of the above listed areas is Rural and currently served by one CETC.[49] Based on the Commission's previous interpretation of Rule 2187(b) these areas are deemed to be discretionary.

134. Following this line of reasoning, the chart contained in Hearing Exhibit 7B, which is consistent with these findings, is adopted for the determination of which areas are mandatory and which are discretionary.

[47] Less than two.
[48] Union
[49] Union.

135. The Dinosaur, Maybell, and Rangley exchanges must be examined under the added public interest factors stated in the Union Docket, the FCC Interim Order, and the FCC Transformation Order.

136. Staff does not object to Strata being designated as an ETC in Dinosaur and Rangley. Union objects to Strata being designated an ETC in all areas.

137. Staff and Union argue that it is not in the public interest to designate Strata as an ETC because more bidders in the reverse auction will mean less money for Colorado and a less "robust system."

138. Staff advocates that the Commission make a determination based on the track record of a company, who would be in the best position to continue to build out and meet the needs of the customers if they were awarded funding.[50]

139. These arguments are speculative and are counter to the stated goals of the FCC. There is no evidence that the bidding process would degrade the proposed services for Colorado customers. If one ETC can provide the services for less money, the customer receives the same benefit. Without the bidding process there is no incentive for the lone ETC not to "gold plate" the bid for the highest amount possible.[51]

140. The FCC envisioned a "competitive bidding mechanism" to determine who would receive the funds.[52] There cannot be a competitive bidding mechanism if there is only one bidder.

[50] Re-Direct Testimony of John Scott, Hearing Transcript V2, p.353, line 15-25.

[51] According to the testimony of Mr. Reno, if Union were the only bidder they could submit a bid, based on his algorithm that he had a 95 percent chance of being successful. Hearing Transcript V1-A , p. 226, line 20-22.

[52] FCC Transformation Order ¶321.

141. The job of the Commission is not to determine the winner of the auction before it is held. The designation of only one ETC will, however, effectively determine the winner of the auction before it is held. While the lone company designated as an ETC for an exchange may be the best company today, it may not be tomorrow. The financial situation for that company could change and they may no longer be able to build out in the manner which was projected. This practice will also prevent additional companies who, at present may appear less viable, but in the future may be better able to serve the people of Colorado from receiving federal funds. The goal of service in unserved and underserved areas will not be met if the best companies are not allowed to become an ETC and compete for federal funding.

142. The FCC goal under the Transformation Act is to make "available … to all the people of the United States … a rapid, efficient, nation-wide, and world-wide wire and radio communication service with adequate facilities at reasonable charges."[53]

143. To encourage eligible ETCs in Colorado to make bids at the highest amount possible that will guarantee success in the auction may provide the most robust network of any state. But, in doing so it would come at the expense of other areas, some possibly in Colorado, and the stated goals of the FCC.

144. The customers located in the discretionary areas[54] are underserved or possibly unserved, and granting Strata ETC designation will assist in rectifying the under-service. The goal of universal telecommunications has not been met in the discretionary areas. Strata has stated that ETC designation is necessary for it to build out its 4G network. The different technology will result in competitive as opposed complementary service. Strata intends to use

[53] *Id.* at ¶2.

[54] Dinosaur, Rangley, and Maybell.

funds it may receive as a result of being an ETC to support enhanced services including its 4G network.

145. Strata meets the additional public interest requirements for the discretionary areas it is seeking ETC designation.

3. Colorado Subsidiary

146. The OCC and Union argue that Strata should be required to create a Colorado subsidiary to prevent the co-mingling of funds. Both point to the Union Docket as justification for this requirement citing the requirement in the Commission Remand Order that Union set up a wireless subsidiary.

147. Strata has stated that their accounts are separated by state, and have agreed to comply with all FCC accounting rules and to record federal support funds for Colorado in a specific Colorado revenue account.

148. Staff has no objection to the proposal of Strata and does not believe that Strata should be required to create a Colorado subsidiary.

149. Union was required to create wireless subsidiary when it was granted ETC designation. In all orders and all arguments made in the Union Docket, the request was made that Union simply set up a wireless subsidiary. In none of the arguments or orders was the wireless subsidiary required to be based in Colorado.[55]

150. The ALJ rejects the recommendation that Union be required to form a Colorado wireless subsidiary as a condition to receiving ETC designation. There is no legal basis for such a condition and the ALJ is unaware of any such requirement. The ALJ is not persuaded that this

[55] It should be noted that the wireless subsidiary set up by Union as part of the stipulated agreement is Colorado based.

is necessary to address the cross subsidization or commingling concerns expressed by Union and the OCC. Going forward, the accounting records of Strata will be subject to the audit powers of both Staff and the OCC. In the event Staff or the OCC believe that there is good cause, either party may avail itself of the existing remedies to challenge Strata's accounting procedures.

151. Strata will be required to submit a detailed five-year build-out plan[56] to Staff including a detailed schedule describing plant additions and infrastructure costs for local exchange services that includes a timeline specifying project start and completion dates on a wire center-by-wire center basis and all other requirements as specified in 47 C.F.R. § 54.202(a)(1)(ii). This build-out plan is to be filed no later than ten days after the effective date of a final Commission Decision in this matter. Further, Strata shall provide as part of its annual reporting requirement a detailed schedule through June 30 of the current year, as well as the previous two calendar years, showing the actual dollar amounts expended by the carrier in the provision, maintenance, upgrading, plant additions, and associated infrastructure costs for local exchange service within the service areas in Colorado where the carrier has been designated an ETC in accordance with 4 CCR 723-2-2187(f)(II)(H) and (L).

152. Strata shall make a compliance filing no later than ten days after the effective date of a final Commission Decision in this matter in which it shall specifically account for its regulated and unregulated services pursuant to the Commission's cost allocation rules at Rule 2400, *et seq*. This filing shall be sufficient to allow Staff to determine whether Strata's revenues for basic local exchange service exceed the costs of providing such service.

[56] Commensurate with the entire timeframe of the project in the event it is shorter than five years.

153. It is found that Strata has met its burden of proof to show that it has met the federal and state requirements for ETC designation. In addition, Strata has met its burden of proof to show that its designation as an ETC is in the public interest and is required by the public convenience and necessity.

154. In accordance with § 40-6-109, C.R.S., the ALJ recommends that the Commission enter the following order.

V. ORDER

A. The Commission Orders That:

1. The Application for Designation as an Eligible Telecommunications Carrier and Eligible Provider in the State of Colorado of Uintah Basin Electronics Telecommunications, Inc., doing business as Strata Networks (Strata) is granted.

2. Strata is designated as a Federal Eligible Telecommunications Carrier within the following Colorado exchanges: Glenwood Springs, New Castle, Parachute, Rifle, Silt, Craig, Hayden, Meeker, Oak Creek, Steamboat Springs, Yampa, Dinosaur, Maybell, and Rangley.

3. Consistent with the discussion above, Strata shall make a compliance filing no later than ten days after the effective date of a final Commission Decision in this matter in which it shall specifically account for its regulated and unregulated services pursuant to the Commission's cost allocation rules at Rule 2400, *et seq*.

4. Consistent with the discussion above, Strata shall be required to make a compliance filing no later than ten days after the effective date of a final Commission Decision in this matter which provides a detailed schedule describing plant additions and infrastructure costs for local exchange services in Strata's service area. The filing shall be in strict accordance with the requirements found in 47 *Code of Federal Regulations* § 54.202(a)(1)(ii) and the Rules

Regulating Telecommunications Providers, Services, and Products, 4 *Code of Colorado Regulations* (CCR) 723-2-2187(f)(II)(H) and (L).

5. Response time to exceptions shall be due within seven calendar days of the filing of exceptions.

6. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if that is the case, and is entered as of the date above.

7. As provided by §40-6-109, C.R.S., copies of this Recommended Decision shall be served upon the parties, who may file exceptions to it.

8. If no exceptions are filed within 20 days after service or within any extended period of time authorized, or unless the decision is stayed by the Commission upon its own motion, the Recommended Decision shall become the decision of the Commission and subject to the provisions of §40-6-114, C.R.S.

9. If a party seeks to amend, modify, annul, or reverse basic findings of fact in its exceptions, that party must request and pay for a transcript to be filed, or the parties may stipulate to portions of the transcript according to the procedure stated in §40-6-113, C.R.S. If no transcript or stipulation is filed, the Commission is bound by the facts set out by the administrative law judge and the parties cannot challenge these facts. This will limit what the Commission can review if exceptions are filed.

10. If exceptions to this Decision are filed, they shall not exceed 30 pages in length, unless the Commission for good cause shown permits this limit to be exceed

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge

ATTEST: A TRUE COPY

Doug Dean,
Director