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Action Request Response

To: Public Service Commission of Utah

From: Utah Division of Public Utilities

Chris Parker, Director

Brenda Salter, Assistant Director

Doug Wheelwright, Utility Technical Consultant Supervisor

Casey J. Coleman, Utility Technical Consultant

Date: March 30, 2026

Re: **Docket No. 26-2662-01**, In the Matter of the Application of NFC Northwest, LLC for a Certificate of Public Convenience and Necessity to Provide Facilities-Based and Resold Public Telecommunications Services within the State of Utah.

Recommendation (Approve)

The Utah Division of Public Utilities (Division) has conducted a comprehensive review of the application submitted by NFC Northwest, LLC (NFC Northwest or Applicant) for a Certificate of Public Convenience and Necessity (CPCN). The Division finds that the Applicant has demonstrated the necessary technical, managerial, and financial capabilities to provide the proposed services, thereby fulfilling the requirements outlined in the Public Service Commission of Utah's (Commission) Utah Administrative Code R746-349-3.

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

The Division expects no objections to this recommendation, as filings of this type, with the information submitted by NFC Northwest, have historically generated none.

Therefore, the Division requests that this docket be adjudicated informally in accordance with Utah Administrative Code R746-110-1 and Utah Code Ann. § 54-8b-3(1)(b).



Division of Public Utilities

Heber M. Wells Building • 160 East 300 South • P.O. Box 146751 Salt Lake City, UT 84114-6741
www.dpu.utah.gov • telephone (801) 530-7622 • toll-free in Utah (877) 874-0904 • fax (801) 530-6512

Discussion

On or about March 3, 2026, NFC Northwest filed an application for a CPCN. The Division reviewed the application and found the following:

NFC Northwest, LLC is a Delaware limited liability company formed on October 3, 2025.¹ The Applicant is headquartered in Kirkland, Washington, and is registered to conduct business in Utah under Entity Number 14655756-0161.²

The corporate hierarchy is as follows: BCE Inc. (ultimate parent) owns Bell Canada, which in turn owns Northwest Fiber, LLC (dba Ziplly Fiber). NFC Northwest, LLC is a direct subsidiary of NFC Management LLC, which is held by a partnership including Northwest Fiber, LLC.

The Compliance Matrix below details the requirements for CPCN application approval and includes the Division's analysis locating the corresponding data within the application.

Compliance Matrix

| Checklist Requirement | Applicant Status | Source Reference |
|---|------------------|---|
| R746-349-3(1)(a)(i): Support for Tech/Fin/Man | Fulfilled | Application Section 2.A; Exhibits C, E, F |
| R746-349-3(1)(b): Proof of Bond (\$100,000) | Waiver Requested | Application Section 2.B; 2.K.iii |
| R746-349-3(1)(c): Facilities to be Used | Provided | Application Section 2.C |
| R746-349-3(1)(d): Services to be Offered | Provided | Application Section 2.D |
| R746-349-3(1)(g): Managerial Experience | Provided | Exhibit C (Management Bios) |

¹ Application of NFC Northwest LLC for a Certificate of Public Convenience and Necessity to Provide Facilities-Based and Resold Public Telecommunications Services within the State of Utah, Exhibit A.

² *Ibid.* Exhibit B.

| | | |
|---|------------------|--|
| R746-349-3(1)(h): Organization Chart | Provided | Exhibit D (Corporate Structure) |
| R746-349-3(1)(i): Chart of Accounts | Waiver Requested | Application Section 2.I |
| R746-349-3(1)(j): Financial Statements | Provided | Exhibit E (Parent/PSP Letters); Conf. Exhibit F |
| R746-349-3(1)(p): Authority to Conduct Business | Provided | Exhibit B (Utah Foreign Registration) |
| R746-349-3(1)(q): Slamming/Illegal Activities | Provided | Application Section 2.Q |

Technical and Managerial Ability (R746-349-3(1)(g, h, n))

The Applicant is managed by a team with over 30 years of industry experience, including Mirko Bibic (President & CEO of BCE Inc./Bell Canada), Glen LeBlanc (CFO/GM), and Byron E. Springer, Jr. (Chief Corporate Officer).

While the management team is headquartered in Kirkland, WA, the Applicant has stated in Exhibit D and Section 2.H that it intends to utilize Utah-based contractors and personnel to maintain and manage the local network. This local presence, supported by a parent company with extensive North American infrastructure experience, satisfies the Division’s requirements for technical and managerial reliability.

Financial Qualifications (R746-349-3(1)(j, k, l))

The Applicant relies on the financial strength of its ultimate parent, BCE Inc./Bell Canada.

Key indicators of financial fitness include:

- **Capital Commitment:** Exhibit E provides evidence of a binding commitment from the Public Sector Pension Investment Board (PSP) to invest in excess of **US \$1.5 billion** to fund the operations of Network FiberCo, LLC and its subsidiaries, including the Applicant.
- **Financial Projections:** The Applicant submitted Confidential Exhibit F, which contains five-year pro forma income and cash flow statements. These projections

demonstrate that the Applicant possesses sufficient capital and projected cash flow to maintain long-term operations within Utah.

Services and Facilities (R746-349-3(1)(c, d, e))

The Applicant operates under a "Carrier of Carriers" model. It builds and maintains physical infrastructure to provide exclusive access to Ziplly Fiber Pacific, LLC, who then provides retail and wholesale services to end-users. Initial construction is planned for Alpine, Bluffdale, Bountiful, Highland, Logan, Mapleton, and Salem.

The Applicant seeks statewide authority but does not currently intend to offer retail switched voice services or dial tone. Should the Applicant decide to offer local exchange services to end-users in the future, it has committed to seeking an amendment to its Certificate and providing the necessary access to standard services (911, operator services, etc.).

Public Interest (R746-349-3(1)(o))

Granting this CPCN is in the public interest. The Applicant's entry into the market will foster competition, resulting in greater consumer choice, enhanced service quality, and lower pricing for telecommunications infrastructure in the state.

Adjudication Requirements

The application includes a formal "Verification" signed by Byron E. Springer, Jr. on February 19, 2026. The Division has reviewed this document and confirms it satisfies the requirements of R746-110-2, as it serves as a sworn attestation of the truthfulness of the application and confirms that financial information was prepared in accordance with GAAP.

Conclusion

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

cc: Brett N. Anderson, Blackburn and Stoll, LC
Michele Beck, Utah Office of Consumer Services