

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of Extended Service Service )  
(EAS) for Uintah and Duchesne Counties )  
)

DOCKET NO. 02-053-02  
ORDER ON CLARIFICATION AND  
DENYING RECONSIDERATION

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ISSUED: July 25, 2003

By The Commission:

On May 13, 2003, the Commission issued an Order approving the creation of an Extended Area Service (EAS) plan for Uintah and Duchesne Counties. On June 13, 2003, the Commission entered an Order on Reconsideration or Rehearing in response to a request of the Committee of Consumer Services. On July 3, 2003, the telephone companies involved in the EAS plan requested clarification, modification and reconsideration of our June 13, 2003, Order. The Division of Public Utilities responded to the companies' July 3, 2003 request by pleading submitted July 15, 2003. The Committee of Consumer Service also submitted a response on July 18, 2003

The Commission has reviewed the pending pleadings and has determined that it will not grant further rehearing in this matter. The Commission herein clarifies and, only to the extent necessary, will subsequently modify our June 13, 2003 order if subject to continued misunderstanding. Modification will occur only as to those aspects associated with subsequent traffic studies and measurements required after the initiation of EAS service as previously ordered. The Commission rejects the companies' request that the Commission adopt a uniform EAS rate to be applied in all of the exchanges in the EAS territory. The Commission does not intend to deviate from the exchange area specific rates ordered in our prior order.

Specific rates may change in the future as a result of the traffic studies and cost and revenue review contemplated in our prior order. We will treat the interim rates as we have in past cases involving interim rates. Under and over collections will be based upon the date that the interim rates were implemented and charged to customers. If it is found that the interim rates previously set were too high, refunds to customers will be made. If interim rates were set too low, surcharges to customers will be made. We anticipate that the costs to track individual customers, that may leave the companies' service areas in the interim period, will be uneconomical relative to the amount of the possible refund or surcharge amounts. Absent their own decision to do so, we will not require the companies to track departing customers. If any rate change is made at the end of the interim period, refunds or surcharges will be applied to the then current customers.

At this time, the State USF is not used to support EAS and could not be used to support EAS under our existing USF rule. If an interested person desires the Commission to undertake rulemaking to modify the existing USF rule, a request for rule modification should be submitted separate from this docket.

We believe there is merit on the issues associated with how and when the traffic studies and subsequent review could be conducted to effectuate our original intent. To that end we have scheduled a technical conference for Thursday, August 21, 2003 commencing at 9:00 a.m., Fourth Floor, Room #427, Heber M. Wells State Office building, 160 East 300 South, Salt Lake City, Utah. If our prior order requires modification as a result of the discussion at the technical conference, we will issue a modified order as needed.

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

We enter this order denying the request of UBTA and UBET to reconsider our prior order or rehear this matter. We attempt to clarify our prior order and our intent herein. Any future modification is reserved pending the technical

conference set to discuss the traffic studies and measurement process.

DATED at Salt Lake City, Utah, this 25<sup>th</sup> day of July, 2003.

/s/ Ric Campbell, Chairman

/s/ Constance B. White, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary

GW#34561