

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

IN THE MATTER OF THE INCREASE)
OF RATES AND CHARGES BY UBET)
TELECOM, INC.)

DOCKET NO. 03-2304-01
REPORT AND ORDER

ISSUED: November 12, 2003

SYNOPSIS

The proposed telephone service rates for UBET Telecom, Inc. are approved by the Commission

By the Commission:

PROCEDURAL HISTORY

This matter was initiated by an Application filed by UBET Telecom, Inc. ("UBET" or "Company") on October 17, 2003. The Division of Public Utilities (the "Division") reviewed the Application and performed an audit of the Company's records of recent utility operations; reviewing revenues and expenses. Following its investigation, the Division stipulated with the Company agreeing to proposed rates. The parties filed a Stipulation (Stipulation) reflecting their agreement with the Commission on October 17, 2003. The parties recommend approval of the Application pursuant to the terms of the Stipulation. No opposition to the Application or Stipulation has been filed in this docket. The Application was filed concurrently with an application from Uintah Basin Telecommunications Association, Inc. ("UBTA"), for a change in its USF withdrawal as a result of a change in rates consistent with those proposed in this docket. Both UBET and UBTA requested that the proposed changes become effective November 16, 2003.

Based on the record in this Docket, the Application, the Stipulation, and the Exhibits filed therewith, the Commission makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. The Company has less than 30,000 subscriber access lines.
2. The Company has provided notice of the proposed rate change pursuant to the requirements of *Utah Code Ann.* §54-7-12(7).
3. The Application was accompanied by all necessary information and schedules required in accordance with *Utah Code Ann.* §54-7-12(7).
4. The Commission adopts the representations and statements contained in the Stipulation, which are incorporated herein by this reference, as additional findings of fact.

CONCLUSIONS OF LAW

1. The Commission has subject matter jurisdiction in this Docket.
2. It is in the public interest to approve the Stipulation.
3. The rate change may be implemented pursuant to *Utah Code Ann.* §54-7-12(7).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

1. The Stipulation is hereby approved.
2. The rate change set forth in the Stipulation is approved as being just and reasonable and in the public interest, and may become effective November 16, 2003.
3. Pursuant to *Utah Code Ann.* §§ 63-46b-12 and 54-7-15, agency review or rehearing of this order may be obtained by filing a request for review or rehearing with the Commission within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of *Utah Code Ann.* §§ 63-46b-14, 63-46b-16 and the *Utah Rules of Appellate Procedure*.

DATED at Salt Lake City, Utah this 12th day of November, 2003.

/s/ Ric Campbell, Chairman

/s/ Constance B. White, Commissioner

/s/ Ted Boyer, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary

G#35950