

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Transfer of Control)
of Universal Access to CityNet)
)

DOCKET NO. 03-2309-01
ORDER AUTHORIZING TRANSFER
OF CONTROL TO CITYNET
TELECOMMUNICATIONS

ISSUED: July 7, 2003

By The Commission:

By letter submitted May 2, 2003, Universal Access, Inc., and CityNet Telecommunications, Inc., gave notice to the Commission of a proposed change in control of Universal Access. They propose a transaction whereby CityNet will acquire 55% of the outstanding common stock of UAXS on a fully diluted basis. Universal Access is a wholly owned subsidiary of UAXS. While the proposed transaction will change control of Universal Access, Universal Access will maintain its independent identity, maintain separate operations and continue to operate under its previously issued certificate (See, PSC Docket No.00-2309-01). The transaction is proposed to provide Universal Access with access to CityNet's financial, managerial and technical resources. By Memorandum submitted June 5, 2003, the Division of Public Utilities recommended that the Commission approve the proposed change in control and suggested proceeding pursuant to Rule 110.

The Commission concludes that it may follow Rule 110 in this docket. Pursuant to that Rule, the Commission may enter an Order, without hearing. The Order issued herein will be tentative for a 20 day period. The Commission approves the change in control of Allied; no detriment has been shown and likely benefit has been established.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

1. The transfer of control of Universal Access, Inc., to CityNet Telecommunications, Inc., is approved.
2. This Order is issued pursuant to Rule 110 and shall be effective 20 days from the issuance date. Any person may file a protest to this Order prior to its effective date and the Commission shall suspend the effectiveness of this Order, pending further proceedings, upon the filing of a meritorious protest. Absent the filing of any meritorious protest during that 20 day period, the Order shall automatically become effective without further action.
3. Notice of this Order shall be made by the Commission through the Commission's Telecommunications notice list.

DATED at Salt Lake City, Utah, this 7th day of July, 2003.

/s/ Ric Campbell, Chairman

/s/ Constance B. White, Commissioner

/s/ Ted Boyer, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary

G#34041