

-BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH-

In the Matter of the Request of QWEST)
CORPORATION (“QWEST”) and SOUTH)
CENTRAL UTAH TELEPHONE)
ASSOCIATION, INC. (“SOUTH)
CENTRAL”), for approval of the Transfer)
of Service Territory between the QWEST)
Cedar City Exchange and the SOUTH)
CENTRAL Beryl Exchange.)

DOCKET NO. 05-052-02

ORDER ON JOINT PETITION TO
TRANSFER SERVICE TERRITORY

ISSUED: November 28, 2005

Appearances:

Robert C. Brown	For	Qwest Corporation
Stanley K. Stoll	For	South Central Utah Telephone Association, Inc.

PROCEDURAL HISTORY

On September 6, 2005, Qwest Corporation (Qwest) and South Central Utah Telephone Association, Inc. (South Central) filed their joint petition seeking Commission approval of the transfer of service territory from Qwest to South Central. The matter was referred to the Division of Public Utilities, Utah Department of Commerce (DPU), for review and analysis. On October 31, 2005, the DPU filed a memorandum recommending that the petition be adjudicated informally under Utah Admin. Code R746-110. No opposition to the transfer has emerged, nor does there appear to be any likelihood such will emerge. An evidentiary hearing on the matter appearing to be neither necessary nor helpful in the disposition of this matter, we have determined to dispose of it without further proceedings. The Commission, having been fully advised in the matter, now enters the following Findings of Fact, Discussion, Conclusions of Law and Order:

DISCUSSION, FINDINGS OF FACT, AND CONCLUSIONS OF LAW

Both Qwest and South Central are telephone corporations certificated by this Commission. Both Qwest and South Central perceive the transfer to be economical, efficient, and in the best interest of the ratepayers. South Central has stated that it is willing and able to meet the upcoming services demands in the area, which will encompass the Old Iron Town portion of Iron County. Based on information gathered by the DPU, it believes that South Central will be responsible and expedient in satisfying current and further service demands from the customers in the area affected. South Central is currently installing fiber facilities from its Beryl exchange, along Highway 56 through the service area to be transferred to Cedar City, Utah. It appears that the transfer of service territory to South Central will be in the best interest of those consumers located in the proposed service area. There appears to be no legal impediment to the proposed transfer. Wherefore, we conclude that the joint petition should be granted. We conclude, pursuant to Utah Admin. Code R746-100-2, that the 20 day tentative period for an order issued in an informally adjudicated may be waived. Hence, our order is to become effective on the date of issuance.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

1. The Certificate of Convenience and Necessity of Qwest be, and it is, amended by deleting therefrom the following described area in Iron County, State of Utah, to wit:

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Sections 15, 16, 17, 18, 19, 20, 21, 22, 28, 29, 30, 31, 32, 33 & 34 in Township 36 South, Range 14, West and Sections 3, 4, 5, 6, 7, 8, 9 & 10 in Township 37 South, Range 14 West, State of Utah.

2. The Certificate of Convenience and Necessity for South Central be, and it is, amended by adding thereto the aforesaid area.

3. The transfer herein effected be, and it is, effective the date of this Order.

Pursuant to *Utah Code Annotated* §§ 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 Annotated* §§ 63-46b-14, 63-46b-16 and the Utah Rules of Appellate Procedure.

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DATED at Salt Lake City, Utah, this 28th day of November, 2005.

/s/ Ric Campbell, Chairman

/s/ Ted Boyer, Commissioner

/s/ Ron Allen, Commissioner

ATTEST:

/s/ Julie Orchard,
Commission Secretary
GW#46589