

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Review of the Tariffs)
and Exchange Territory Description and)
Maps of Emery Telecom, Inc.)

) DOCKET NO. 08-042-01

) NOTICE OF COMMENCEMENT OF
) REVIEW AND OPENING OF DOCKET
)

ISSUED: October 21, 2008

By The Commission:

By Petition dated September 30, 2008, the Division of Public Utilities (Division) petitioned the Commission to initiate a review of various telecommunications service providers' tariffs and exchange maps to bring them into compliance with Commission rules. (A copy of the Petition is attached hereto.) The Division noted it had performed a preliminary audit which indicates tariff and exchange maps are sorely outdated for a number of companies. EMERY TELECOM, INC. (Company) is identified as one of the companies whose tariffs and maps should be reviewed.

Based upon the Petition and for good cause appearing, the Commission opens this docket in order to review the Company's tariffs and maps. This will provide the Company an opportunity to determine whether its tariffs and maps are in compliance with the Commission's rules and update them as necessary. The procedure for this docket will follow the process described in the Division's Petition. The Company must inform the Commission if any part of the described process is problematic for the Company on or before November 26, 2008; otherwise the Commission will proceed with the process described by the Division.

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DATED at Salt Lake City, Utah, this 21st day of October, 2008.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#59575

PETITION

September 30, 2008

TO: PUBLIC SERVICE COMMISSION

FROM: DIVISION OF PUBLIC UTILITIES

Philip J. Powlick, Director
Bill Duncan Manager, Telecommunications
Peggy N. Egbert, Technical Consultant
Paul M. Anderson, Technical Consultant

SUBJECT: UPDATE OF RURAL LOCAL EXCHANGE CARRIER TARIFFS AND EXCHANGE MAPS

Pursuant to Commission rules R746-340-2 (E) (1) (2), and R746-405-2 and, Public Utilities Statutes 54-7-8 and 54-7-12 (6) (d), the Division of Public Utilities is petitioning the Public Service Commission to open a docket, requiring the Rural Local Exchange Carriers and Telecommunication Co-op's operating in Utah to update their company tariffs and exchange maps to bring them into compliance with commission rules. The Division conducted an audit which indicates that tariff and exchange map are sorely outdated requiring corrections and updates from the following companies;

All West Communications, Inc.

Bear Lake Communications (Centracom)

Beehive Telephone Company, Inc.

Carbon/Emery Telecom, Inc.

Central Utah Telephone (Centracom)

Citizens Telecommunications Company of Utah (Frontier)

Direct Communications Cedar Valley, LLC

Emery Telecom, Inc.

Gunnison Telephone Company

Hanksville Telecom, Inc.

Manti Telephone Company

Navajo Communications Company, Inc (Frontier)

Skyline Telecom (Centracom)

South Central Utah Telephone Association

UBTA/UBET Communications, Inc.

BACKGROUND

Recently the Division encountered several problems while attempting to satisfy public inquiries, which were attributed to outdated tariffs. As a result the Division conducted a tariff audit of all ILEC's (Incumbent Local Exchange Company) operating in Utah.

The audit revealed outdated information in relation to General Conditions, Operations, Installation guidelines, missing and outdated product descriptions (old and new), outdated rates for services offered, new services and bundled services which may be offered to the public but are not displayed in the tariffs, and tariff indexes that do not coordinate with pages in the existing

tariffs. Likewise, most companies have not updated the Lifeline and Linkup tariffs to reflect the newly revised Commission rule R746-341, nor in many cases, have the rate changes ordered by the Commission during rate cases been updated in company tariffs.

Moreover, Commission rule R746-405-2(4) states that maps must be filed with the Company tariffs defining the general location of the service area/exchange boundary. There have been many changes in exchange area boundaries for most companies, however, the changes are not reflected in the existing tariff files of the Commission.

RECOMMENDATION

The Division of Public Utilities is requesting that the Commission open a docket which will require the ILECs' listed above, to review and update their Local Exchange and Access Tariffs' and file them with the Commission by *February 13, 2009* in the format as described in R746-405-2. It is advised that the companies do not include new services or products with the updated tariffs. Commission rule R746-406-2(E) (1) states that the Utility tariffs may not increase rates, charges or conditions, which result in an increased rate, unless a showing has been made before the Commission. For this reason, the Division suggests that the companies either file new tariff changes before the February date or wait until a later date to file. However, it would be permissible to include any new service tariff that has been approved by the Commission prior to the February 13th date.

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The Division recommends that the companies file a paper (hard) copy as described in Commission Rule R746-405-2(B) along with an explanation of the changes that are made during the update. Likewise, the Division recommends that the companies also file an electronic copy of the tariff, as it is the Division's plan to develop an electronic data base of all company tariffs to facilitate easy access for the general public.

The Division recognizes that this request creates a sizeable task for the companies but believes that the benefits will facilitate improved service to the public.