

In the Matter of Telephone Service )  
to the Kolob Mountain Area of )  
Washington and Iron Counties in )  
the State of Utah. )  
)

DOCKET NO. 91-051-01  
REPORT AND ORDER  
and  
CERTIFICATE

ISSUED: April 16, 1998

By the Commission:

On September 11, 1996, the Commission approved a joint stipulation between Beehive Telephone Company ("Beehive") and the Division of Public Utilities ("DPU"); the Order in substance provided for certification of Beehive to serve an area in Washington and Iron Counties, Utah, on the fulfillment of certain conditions. Beehive and DPU have filed a second joint stipulation certifying that the conditions have been satisfied, and, accordingly, the Commission enters the following Report and Order Consisting of Findings of Fact, Conclusions of Law, and the Order based thereon.

FINDINGS OF FACT

1. The conditions imposed by our previous Order have been satisfied.
2. There was an innocuous error in the service area description incorporated as an appendix to our previous Order; a correct description has been filed with the parties' second stipulation of January 13, 1998, and a corrected map of the area was filed thereafter. The discrepancies are minimal and do not require further proceedings before certification.

CONCLUSIONS OF LAW

Beehive should be certificated to serve the Kolob Mountain area, and U S West Communications, Inc., the presently-certificated carrier should be decertificated.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

Beehive Telephone Company's base Certificate, be, and it is, amended to add thereto the following language:

To operate as a telephone corporation providing service to the following area in Iron and Washington Counties, Utah, to wit:

Commencing at the northwest corner of Section 25, Township 36 South, Range 11 West, Salt Lake Meridian; thence east to the northeast corner of Section 30, Township 36 South, Range 11 West; thence south to the southeast corner of Section 31, Township 36 South, Range 11 west, Salt Lake Meridian; thence east 5 miles to the northeast corner of Section 1, Township 37 South, Range 11 West; thence south to the southeast corner of Township 37 South, Range 10 East; thence east to the Iron County/Kane County line; thence south along the Iron County/Kane County line to the southeast corner of Township 39 South, Range 9 west, Salt Lake Meridian; thence east to the southwest corner of Section 19, Township 39 South, Range 11 West; thence north to the northwest corner of Township 38 South, Range 11 West, Salt Lake Meridian; thence northeast to the point of beginning.

The Certificate issued to Mountain States Telephone and Telegraph Company (now U S West Communications, Inc.)

be, and it is amended to incorporate the following language:

Excepting from Mountain States Telephone and Telegraph Company's service area the following described area in Iron and Washington Counties, Utah, to wit:

Commencing at the northwest corner of Section 25, Township 36 South, Range 11 West, Salt Lake Meridian; thence east to the northeast corner of Section 30, Township 36 South, Range 11 West; thence south to the southeast corner of Section 31, Township 36 South, Range 11 west, Salt Lake Meridian; thence east 5 miles to the northeast corner of Section 1, Township 37 South, Range 11 West; thence south to the southeast corner of Township 37 South, Range 10 East; thence east to the Iron County/Kane County line; thence south along the Iron County/Kane County line to the southeast corner of Township 39 South, Range 9 west, Salt Lake Meridian; thence east to the southwest corner of Section 19, Township 39 South, Range 11 West; thence north to the northwest corner of Township 38 South, Range 11 West, Salt Lake Meridian; thence northeast to the point of beginning.

Any person aggrieved by this Order shall file a written petition for review within 20 days of the date of this Order; failure to file timely will preclude an appeal to the Utah Supreme Court.

DATED at Salt Lake City, Utah, this 16th day of April, 1998.

/s/ Stephen F. Mecham, Chairman

(SEAL) /s/ Constance B. White, Commissioner

/s/ Clark D. Jones, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary