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**PURF Working Group | October 1, 2019**

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1. Introductions & Materials Recap
  - Reconstituted packet
  - Questions, discussion, or edits to the packet?
2. Known Policy Options & Proposals: Rep. Christofferson
  - Stakeholder positions?
  - Potential tradeoffs?
  - Others not listed?
3. *Potential* Next Steps
  - Public Utilities, Energy, and Technology PURF committee bill
  - Other?
4. Close Meeting/Misc.

# **Overview**

## **What is it?**

A special fee imposed to defray the costs of public utility regulation.

## **Who determines and imposes the fee?**

The executive director of the Department of Commerce for the Department of Commerce.  
The chair of the Public Service Commission for the Public Service Commission.

## **How much is the fee?**

For a public utility other than an electrical cooperative, the fee may not exceed the greater of .3% of the public utility's gross operating revenues for the preceding calendar year or \$50.

For an electrical cooperative, the fee may not exceed the greater of .15% of the electrical cooperative's gross operating revenues for the preceding calendar year or \$50.

## **What is included in gross operating revenue?**

The gross operating revenue for the preceding calendar year is derived from each public utility's business and operations during that period within this state, excluding income derived from interstate business and does not include income to a wholesale electric cooperative derived from the sale of power to a rural electric cooperative which resells that power within the state.

## **When is it due?**

The fee is due and payable on or before July 1 of each year.

## **What costs are the fee intended to cover?**

The fee is intended to provide all of the funds for the administration, support, and maintenance of:

- 1) the Public Service Commission;
- 2) state agencies within the Department of Commerce involved in the regulation of public utilities; and
- 3) expenditures by the attorney general for utility regulation.

## **How is the revenue from the fee used?**

The revenue is deposited into the Public Utility Regulatory Restricted Account and is used by:

- 1) the Department of Commerce to administer the Division of Public Utilities and the Office of Consumer Services; and
- 2) the Public Service Commission to administer the Public Service Commission.

## **What is the Supplemental Levy Committee?**

A committee created to levy additional assessments on public utilities when unanticipated costs of regulation occur in any fiscal year. The total of all fees imposed, including a supplemental fee imposed by the supplemental levy committee, is capped at the maximum .3% of the public utility's gross operating revenues for the preceding calendar year.

Year	History of changes	Citation
1965	<ul style="list-style-type: none"> <li>• Public utilities regulatory fee enacted</li> <li>• Amount fixed and determined by the State Tax Commission as a uniform percentage of gross operating revenue of each utility for preceding calendar year derived from its public utility business within the state (excludes income derived from interstate business)</li> <li>• Deposited in the Public Service Commission Fund as dedicated credits</li> <li>• Used for the purpose of defraying costs and expenses of regulating the public utilities doing business in the state</li> <li>• Fee may not exceed .25% (one quarter of one per centum) of its gross public utility operating revenue but minimum fee is \$2.</li> </ul>	Laws of Utah 1965, Ch. 107, § 1
1967	<ul style="list-style-type: none"> <li>• Fee transferred to the General Fund rather than the Public Service Commission Fund (unexpended revenues from the Public Service Commission Fund transferred to the General Fund)</li> </ul>	Laws of Utah 1967, Ch. 130, § 1
1975	<ul style="list-style-type: none"> <li>• Included the Department of Transportation's responsibilities relating to carrier safety in the costs to be covered by the public utility regulatory fee</li> </ul>	Laws of Utah 1975, 1 <sup>st</sup> SS, Ch. 9, § 23
1981	<ul style="list-style-type: none"> <li>• Fee fixed and determined by the Executive Director of the Department of Business Regulation and subject to audit by the State Auditor (rather than being determined by State Tax Commission)</li> <li>• Authorized the use of the funds for expenses of state agencies within the Department of Business Regulation involved in the regulation of public utilities, including expenditures by the attorney general for utility regulation</li> <li>• Increased fee cap to 3/10 of 1% of its gross public utility operating revenue and minimum fee increased to \$50 (from \$2)</li> <li>• Supplemental levy committee created for the purpose of levying additional assessments on public utilities occasioned by unanticipated costs of regulation, authorized to impose a supplemental fee on the regulated utilities</li> <li>• Aggregate of all fees (including supplemental fee) may not exceed 3/10 of 1%, supplemental fee is credited as a departmental collection</li> </ul>	Laws of Utah 1981, Ch. 36, § 1
1983	<ul style="list-style-type: none"> <li>• Fee fixed and determined for the department of business regulation by the executive director of the department of business regulation and for the public service commission by the chairman of the commission</li> <li>• Amended supplemental levy committee membership</li> </ul>	Laws of Utah 1983, Ch. 246, § 14
1987	<ul style="list-style-type: none"> <li>• Clarified that the director of the Dept. of Business Regulation fixes and determines the fee for the Department of Regulation and the chairman of the Public Service Commission fixes and determines the fee for the Public Service Commission</li> <li>• Provided that auditor may audit each or any public utility each year to determine its fee by May 15th</li> <li>• Amendments made to the special levy committee process</li> <li>• Provided that gross operating revenue may not include income to a wholesale electric cooperative derived from the sale of power to a rural</li> </ul>	Laws of Utah 1987, Ch. 161, § 154 Laws of Utah 1987, Ch. 175, § 1

	electric cooperative which resells the power within the state, amends supplemental levy committee procedures	
1989	<ul style="list-style-type: none"> <li>Department of Business Regulation is changed to the Department of Commerce</li> </ul>	Laws of Utah 1989, Ch. 225, § 18
1996	<ul style="list-style-type: none"> <li>Repealed the provision that allows expenses of the Department of Transportation's responsibilities relating to carrier safety to be covered by the fund</li> </ul>	Laws of Utah 1996, Ch. 170, § 50
2000	<ul style="list-style-type: none"> <li>Regulatory fee replaced with the Utility Regulation Tax</li> <li>Imposed as the greater of 3/10 of 1% of the public utility's gross operating revenues for the preceding calendar year derived from each public utility's business and operations during that period within this state or \$50</li> <li>Exempted revenue derived from interstate business and revenue of a wholesale electric cooperative derived from the sale of power to a rural electric cooperative which resells that power within the state</li> <li>Tax is paid to the Department of Commerce on or before July 1 of each year</li> <li>Proceeds of the tax used for: the administration, support, and maintenance of the Public Service Commission and the Office of the Public Advocate; expenditures by the Office of the Attorney General to provide legal counsel for the Public Service Commission and the Office of the Public Advocate; and the support and maintenance of any other programs, services, or functions provided by the state, as appropriated by the Legislature</li> </ul>	Laws of Utah 2000, Ch. 352, § 111
2001	<ul style="list-style-type: none"> <li>Utility Regulation Tax repealed and regulatory fee reinstated</li> <li>Fee for electrical cooperative reduced to .15% of the electrical cooperative's gross operating revenue, but commission authorized to impose supplemental fee if the regulation of one or more electrical cooperatives causes unanticipated costs of regulation in a fiscal year</li> <li>The aggregate of all fees on an electrical cooperative in a calendar year may not exceed the greater of .3% of the electrical cooperative's gross operating revenues for the preceding calendar year or \$50.</li> </ul>	Laws of Utah 2001, Ch. 212, § 2
2017	<ul style="list-style-type: none"> <li>Enacted the Public Utilities Restricted Account</li> <li>Provided that the Department of Commerce may use the funds in the Public Utility Regulator Restricted Account to administer the Division of Public Utilities and the Office of Consumer Services and the Public Service Commission may use the funds in the Public Utility Regulatory Restricted Account to administer the Public Service Commission</li> <li>Enacted \$3,000,000 cap on balance in the Public Utility Regulatory Restricted Account</li> </ul>	Laws of Utah 2017, Ch. 396, § 1

## Key Terms & Acronyms

For the purposes of this working group only, the following terms and definitions are borrowed from the *Utah Code* to supplement the meeting attendees' understanding of the policy issue. Terms are listed in alphabetical order; underlines point to defined terms that are used to define another term in this same document, while \* mean that the term's definition was adapted utilizing the definition of another term that *is not* listed in this document due to a need for conciseness, but resides in the *Utah Code*.

**Access Line (Title 54 definition/UUSF):** a circuit-switched connection, or the functional equivalent of a circuit-switched connection, from an end-user to the public-switched network (*Utah Code* Section 54-8b-2).

**Access Line (Title 69 definition/E-911 Charges):** means a circuit-switched connection, or the functional equivalent of a circuit-switched connection, from and end user to the public switched network, including a local exchange service switched access line within the state, a revenue producing radio communications access line with a billing address within the state, and a line by a service, including voice over Internet protocol, to a user with an address within the state, that allows the user to receive a call that originates on the public switched network and terminate a call to the public switched network (*Utah Code* Section 69-2-102).

**Broadband Internet Access Service (BIAS):** means the same as that term is defined in 47 C.F.R. Sec. 8.2.

**Certificate:** a certificate of public convenience and necessity issued by the commission authorizing a telecommunications corporation to provide specified public telecommunications services within a geographic service territory in the state (*Utah Code* Section 54-8b-2)

**\*Competitive Local Exchange Carrier (CLEC):** any corporation or person, and their lessees, trustees, receivers, or trustees appointed by any court, owning, controlling, operating, managing, or reselling a public telecommunications service to which the commission *may issue* a certificate authorizing it to compete in providing local exchange services or other public telecommunications services in all or part of the service territory of an incumbent telephone corporation (*Utah Code* Section 54-8b-2.1).

**Connection:** an authorized session that uses Internet protocol or a functionally equivalent technology standard to enable an end-user to initiate or receive a call from the public switched network (*Utah Code* Section 54-8b-15).

**Incumbent Local Exchange Carrier (ILEC):** a telephone corporation, its successors or assigns, which, as of May 1, 1995, held a certificate to provide local exchange services in a defined geographic service territory of the state (*Utah Code* Section 54-8b-2).

**Local Exchange Service:** the provision of telephone lines to customers with the associated transmission of two-way interactive, switched voice communications within the geographic area encompassing one or more local communities as described in maps, tariffs, or rate schedules filed with and approved by the commission (*Utah Code* Section 54-8b-2).

**Public Switched Network:** means the same as that term is defined in 47 C.F.R. Sec. 20.3 (*Utah Code* Sections 54-8b-2 and 69-2-102).

**Public Telecommunications Service:** the two-way transmission of signs, signals, writing, images, sounds, messages, data, or other information of any nature by wire, radio, light waves, or other electromagnetic means offered to the public generally (*Utah Code* Section 54-8b-2).

**Voice Over Internet Protocol (VoIP):** any service that enables real time, two-way voice communication originating from or terminating at the user's location in Internet protocol or successor protocol; uses a broadband connection from the user's locations; and permits a user to receive a telephone call that originates on the public switched telephone network and to terminate a call to the public switched telephone network (*Utah Code* Section 54-19-102).

**\*Wireless Cellular (a.k.a. "cellular phone line," "WRLS," "cellular telecommunications services," or "wireless telecommunications services"):** is synonymous with "commercial radio communications service" as that term is defined in *Utah Code* Section 69-2-102, which references 47 C.F.R., parts 20, 22, 24, and 90 (note: *Utah Code* Section 54-8b-2 also defines "mobile telecommunications service" as that term is defined in the *Mobile Telecommunications Sourcing Act*, 4 U.S.C. Sec. 124, and 4 U.S.C. Sec. 124 cross-references to "commercial radio communications service" in 47 C.F.R.)

# Funds of Interest: Interfaces & Oversight

**MAJOR CATEGORY OR ENTITY**

Executive Office, Entity, or Department

Governing Authority

Division, Subdivision, or Authority

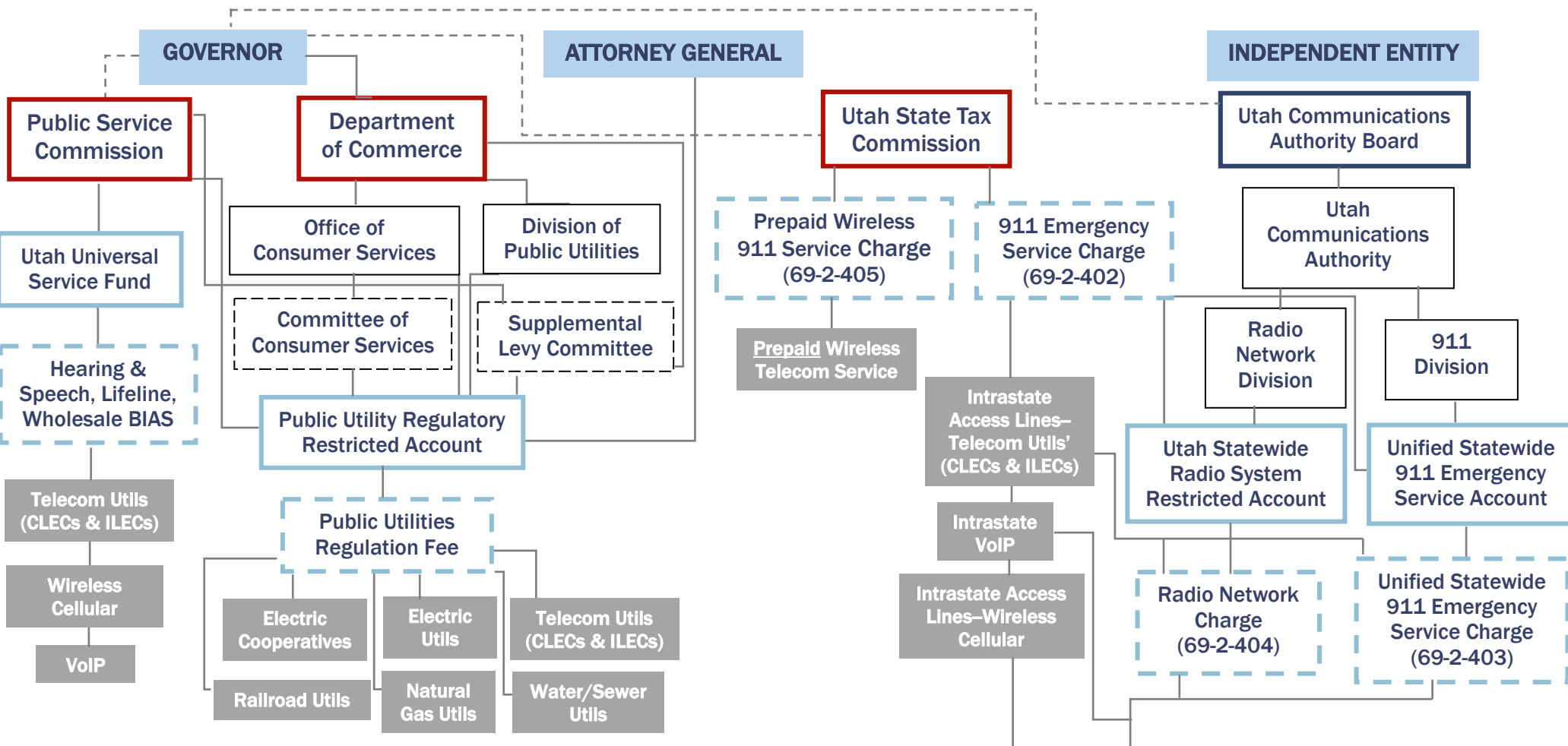
Fee, Tax, or Charge

Account or Fund

Charged Provider/Service

Minor or ad-hoc entity

key



## Regulatory Functions and Agency Objectives

### Division of Public Utilities (DPU)

Pursuant to Utah Code Title 54, Chapter 4a, the DPU has statutory functions and objectives that it must adhere to. The following is a summary taken from the DPU's website of the agency's duties and organization:

#### Division Duties

The Division of Public Utilities makes recommendations to the Utah Public Service Commission for rate-making purposes, applications, hearings and other issues affecting quality of service. The Division also handles and investigates consumer complaints and monitors utility operations to ensure compliance with Public Service Commission rules, regulations and orders.

#### Division Organization

The Division of Public Utilities is separated into 5 sections:

- Energy: helps the Public Service Commission regulate electric and natural gas utilities that provide service in Utah.
- Telecommunications: aids the Public Service Commission in regulating local telephone companies in Utah.
- Water: monitors and regulates numerous private water companies in Utah
- Pipeline Safety: implements and enforces safety standards for all natural gas pipeline transmission and distribution facilities as well as master meter installations and new pipeline construction within Utah to ensure compliance with the Federal Natural Gas Pipeline Safety Act of 1968 and Public Service Commission Rules.
- Customer Service: handles inquiries and complaints from all of the above-mentioned utilities regarding services rendered.

### Office of Consumer Services (OCS)

Pursuant to Utah Code Title 54, Chapter 10a, the OCS has statutory functions and objectives that it must adhere to. The following is a summary taken from the OCS' website of the agency's policy objectives:

1. **Reliable Service at Reasonable Cost**: The Committee of Consumer Services supports the Office advocating positions and taking appropriate actions that will result in public utilities providing reliable service to Utah consumers at the lowest reasonable cost, while appropriately considering risk factors.
2. **New Electric Generating Resources**: The Committee of Consumer Services supports a process for determining new electric resources that considers all appropriate costs, benefits and risks to Utah consumers. The Committee supports a diverse portfolio of generating resources and further supports incorporating the concept of generating resource diversity in the risk analysis of any new generating resource. The Committee does not support a preference for any type of fuel or generating



source, but rather a decision that minimizes costs (appropriately considering risk) and maximizes benefits to consumers in the long run.

3. **Public Processes:** The Committee of Consumer Services supports the Office advocating positions and taking appropriate actions that will result in public processes in the regulation of public utilities that promote broad participation, transparent operations, and maintain consumer protections.
4. **Maximizing Consumer Information:** The Committee of Consumer Services supports all efforts toward maximizing consumer access to and understanding of information about utility operations, the regulatory and rate setting process, and all energy, telecommunications and related consumer protection issues.
5. **Pursue Cost Beneficial Policy Changes:** The Committee of Consumer Services believes that all significant policy changes that impact Utah consumers of public utilities should be pursued in a manner that minimizes costs, while appropriately considering risk, and maximizes benefits to consumers in the long run.
6. **Rates Used Only to Fund Utility Service:** The Committee generally opposes using utility rates of residential and small commercial customers as a funding source for the enactment of non-utility policies or programs that are not directly linked to the provision or consumption of utility services for those customers.
7. **Low Income Programs:** The Committee recognizes that there are some general rate benefits associated with utility low income programs, although these benefits are sometimes difficult to quantify. Therefore, the Committee supports a reasonable amount of funding for these programs.
8. **Maximize Benefits Without Being Unjust to Any Subset:** The Committee supports the Office advocating positions and taking appropriate actions that generally aim to maximize overall benefits for residential and small commercial customers, but also to oppose any utility rate or policy that is unjust or unreasonable for any subset of these customers.
9. **Cost Effective Energy Efficiency:** The Committee supports utilities pursuing cost effective energy efficiency and conservation programs. The Committee also supports pursuing these programs via rate mechanisms that minimize rate shocks and ensure that an appropriate level of benefit from the programs accrues to residential and small commercial customers.
10. **Consumer Protections:** The Committee of Consumer Services supports the Office advocating positions and taking appropriate actions to maintain basic consumer protections for Utah public utility consumers. These protections include, but are not limited to:
  - Access to safe and reliable energy and telecommunications services.
  - Strong privacy protections to ensure that customer records and personal information, including payment and usage history, are only accessible to the customer, the utility and its partners and used solely for standard operations of the utility, such as efficient use of utility resources, production of accurate customer bills and the facilitation of conservation and energy efficiency programs.
  - Fair and reasonable standards for terms and conditions of service such as deposit and credit requirements, service denials and terminations, and deferred payment provisions.

- Prohibitions of unfair, deceptive, fraudulent and anti-competitive practices on the part of any provider of electricity, natural gas or telecommunications.
- Access to unbiased, accurate and understandable information concerning price, terms of service, and actual usage on all utility bills, marketing literature and relevant communications.
- Widespread distribution of the benefits of any new regulated services, such as technological advances, improved efficiency, and competitive prices.

**11. Utah Universal Service Fund:** The Committee of Consumer Services supports the Office advocating positions to help ensure proper oversight and efficient use of Utah Universal Public Telecommunications Service Support Fund (also known as the Utah USF).

## Public Service Commission (PSC)

Pursuant to Utah Code Title 54, Chapter 1, the PSC has statutory functions and objectives that it must adhere to. The following is a summary taken from the PSC's annual report on its website of the agency's recent activities and regulatory functions:

- During fiscal year 2019, there were 352 active and opened dockets. The PSC regulated 178 utility companies including gas, electric, telecommunications, water, sewer, and railroads, and approximately \$3.5 billion intrastate revenue was reported in the 2018 calendar year.
- As a regulatory decision-making body, the PSC exercises a delegated legislative power. Each regulatory decision is reached quasi-judicially – the decision must be based on evidence of record gathered in open public hearings in docketed proceedings. All dockets are scheduled to protect the due process rights of parties.
- In the course of a hearing, parties may include the subject public utility, the DPU, and the OCS. Parties present the sworn testimony and evidence of expert witnesses who are subject to cross-examination.
- In cases where hundreds of millions of dollars may be at stake or important issues of regulatory policy arise, intervenors may participate, representing interests as diverse as low-income customers, environmental groups, and large industrial customers. Regulatory decisions may distribute outcomes as gains or losses to particular parties. Cases raise issues of law, economics, accounting, finance, engineering, and service quality.
- The PSC's task is reaching decisions that balance the interests of concerned parties in pursuit of outcomes that protect and promote the overall public interest. These decisions can be reviewed by the Utah Supreme Court.

## Known Policy Proposals & Options

Regarding the financial shortfalls that public utilities regulatory agencies (the Public Service Commission, the Office of Consumer Services, and the Division of Public Utilities) are currently experiencing due to decreased telecommunications revenues flowing into the Public Utility Regulatory Restricted Account via the PURF, stakeholders have brought several policy options before the Legislature. The below table depicts these known options and are in no particular order.

Proposal/Option
1) Amend the statute to explicitly include other types of telecommunications providers that are <i>not</i> classified as public utilities (expand the base of payers to include wireless cellular providers to pay into the PURF)
2) Raise the fee rate cap (.3%) on how much regulators are allowed to collect from public utilities' annual revenues
3) Fill with another funding source (would require foresight in appropriations)
4) Agencies limit activities to reflect unrecoverable budgets (which functions?)
5) General Fund: fund regulatory agencies out of the General Fund and eliminate the PURF
6) Link the UUSF and PURF together where the UUSF becomes a "balancing account" for the PURF in the years during a telecom revenue-regulatory budget mismatch
7) "Bifurcate" the PURF utilities rate of payment based upon how much time it takes to regulate each sector and each company and/or to recover lost tax revenue due to federal tax reform
8) Raise the rate from 0.3% for <i>all</i> public utilities based upon an adjustment designed to recover lost tax revenue due to federal tax reform; or raise the statutory minimum from \$50 based on federal tax reform adjustment.
9) Restructure 1: <ul style="list-style-type: none"> <li>• Instruct the PSC to utilize UUSF funds based on highest priority projects with feedback from agencies OR based on existing PSC statutes and processes.</li> <li>• Raise the PURF rate on remaining PURF-paying public utilities to adjust for federal tax reform loss.</li> <li>• Place a cap on the UUSF.</li> </ul>
10) Restructure 2: <ul style="list-style-type: none"> <li>• Fund the UUSF administrative and audit functions currently coming out of the PURF through the UUSF; cap this amount based upon projection from agencies (\$?)</li> <li>• Place a cap on the UUSF (at the \$.60 per access line per month charge)</li> <li>• Separate the energy sector utilities (natural gas and non-cooperative electric) paying into the PURF and raise cap to recover tax reform lost revenue (\$?)</li> </ul>
11) OTHER?

## **Utah Universal Service Fund (UUSF) & PURF Nexus: Relevant Information**

Much of the conversation related to the PURF shortfall has also included the UUSF. For ease of access, the following information is an excerpt from the Utah Public Service Commission's 2019 Annual UUSF Report to the Public Utilities, Energy, and Technology Interim Committee; the full 2019 Annual UUSF Report is available under the applicable tab within this packet:

### ***UUSF Distributions and Contributions for the Fiscal Year Ended June 30, 2019***

For FY 2019, *total contributions to the UUSF were \$14,879,300 and total distributions from the UUSF were \$16,194,225.* Both UUSF collections and disbursements increased in FY 2018 and further in 2019 primarily because, pursuant to S.B. 130, the scope of the program has increased.

### ***Availability of Services Receiving UUSF Funds***

#### ***Wireline Telephone Service***

*In the past, the Federal Communications Commission (FCC) published annual reports of wireline telephone service availability in each state. The report was based on the total number of occupied housing units with access to wireline telephone service. The last such report issued by the FCC was in September 2010, listing data from years 2001 through 2008. Utah's availability of wireline telephone service had increased from 97.4 percent of occupied housing units in 2001 to 99.3 percent of occupied housing units in 2008. For the 2008 data, Utah had the highest percentage of all 50 states (while the state with the lowest percentage was 95.7 percent).*

The PSC is unaware of a research source with more recent data, although it seems counter-intuitive that wireline telephone service availability would have decreased in any significant manner since 2008. Adoption (as opposed to availability) has decreased significantly as many customers are now choosing wireless telephone service, or voice over internet protocol service, rather than wireline service.

#### ***Broadband Internet Service***

*In May 2019, the FCC released the 2019 Broadband Deployment Report. This report evaluates whether advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion. The full report is available at the following website:*  
<https://www.fcc.gov/reports-research/reports/broadband-progress-reports/2019-broadband-deployment-report>

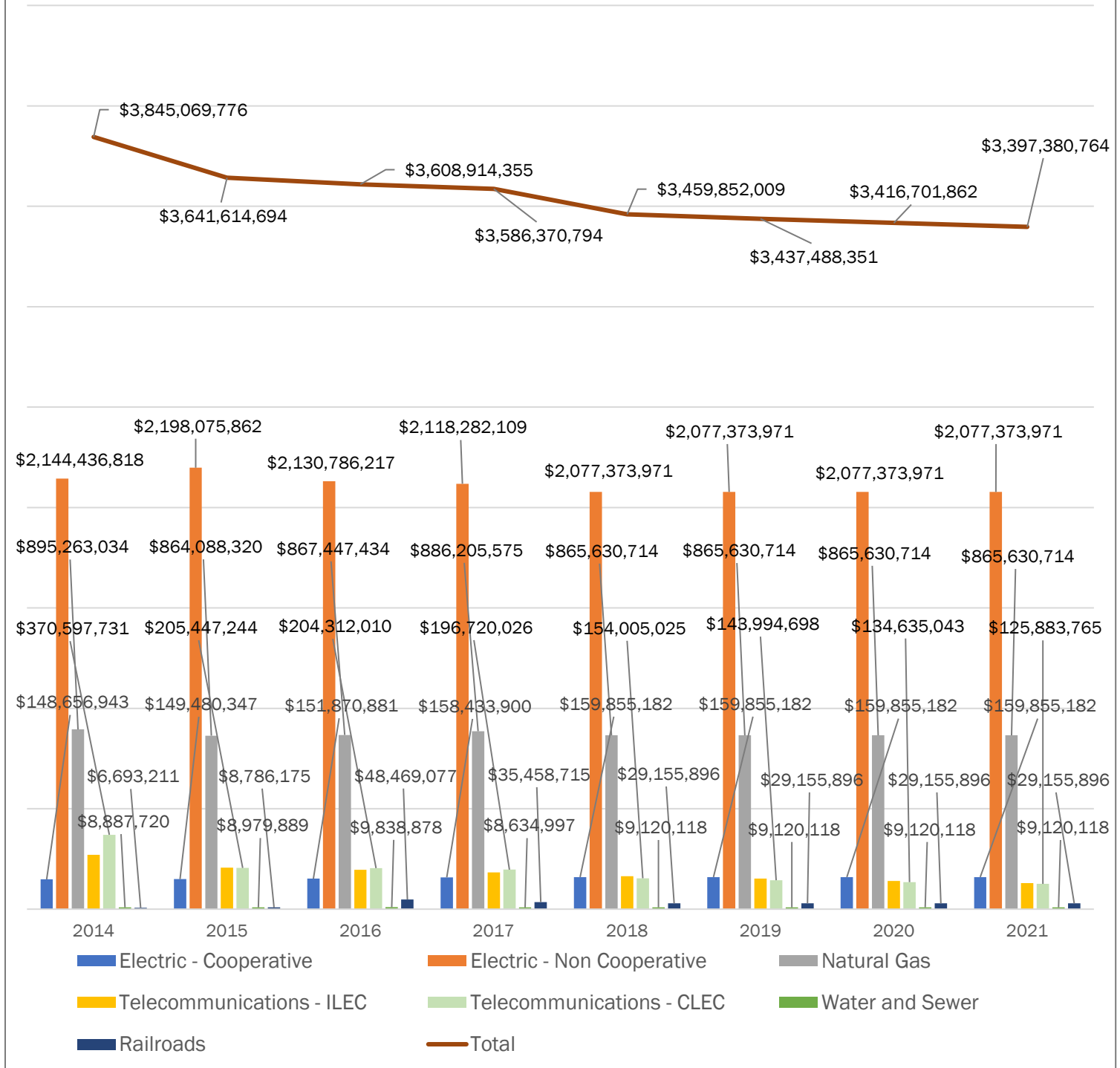
Highlights of the report's findings for Utah include:

- **94.2% of Utah's population with access to Fixed 25 Mbps/3Mbps (advertised maximum download speed/advertised maximum upload speed);**
- **99.7% of Utah's population with access to Mobile LTE 5 Mbps/1 Mbps;**
- **88.3% of Utah's population with access to Mobile LTE 10 Mbps/3 Mbps;**
- **47.4% of Utah's population living on Tribal Lands with access to Fixed 25 Mbps/3Mbps; and**
- **93.3% of Utah's population living on Tribal Lands with access to Mobile LTE 5 Mbps/1 Mbps.**

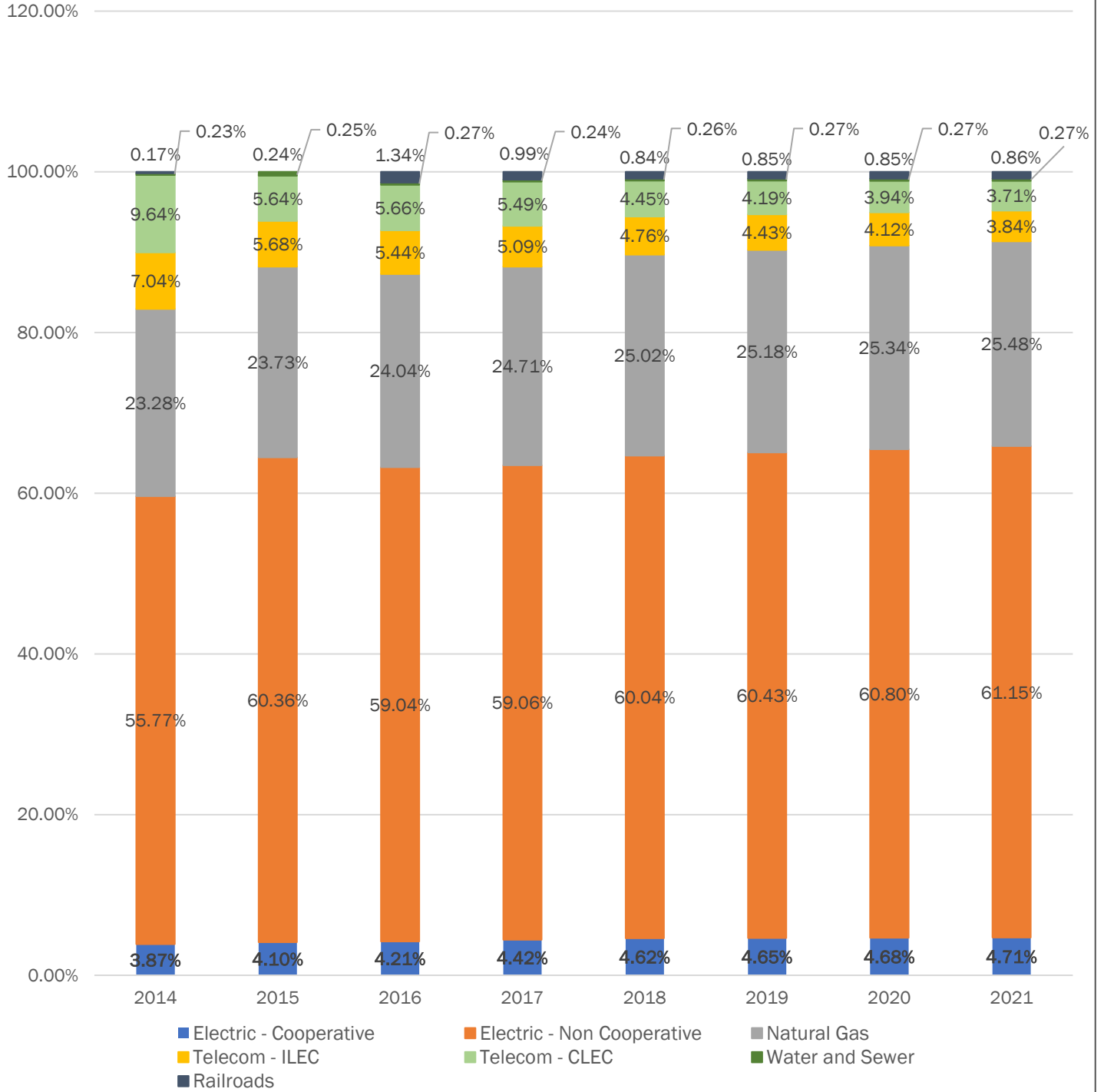
Additionally, data in a different format is maintained by the Utah Broadband Outreach Center, an office within the Governor's Office of Economic Development. That office maintains an online resource at <https://broadband.utah.gov/map/> allowing a user to enter a street address in Utah and find various broadband Internet options at that location. That office also published a Utah Broadband Atlas in January 2015 and maintains an online resource showing the maximum advertised download speeds by county as well as statewide.

# PURF: Rate Data & History

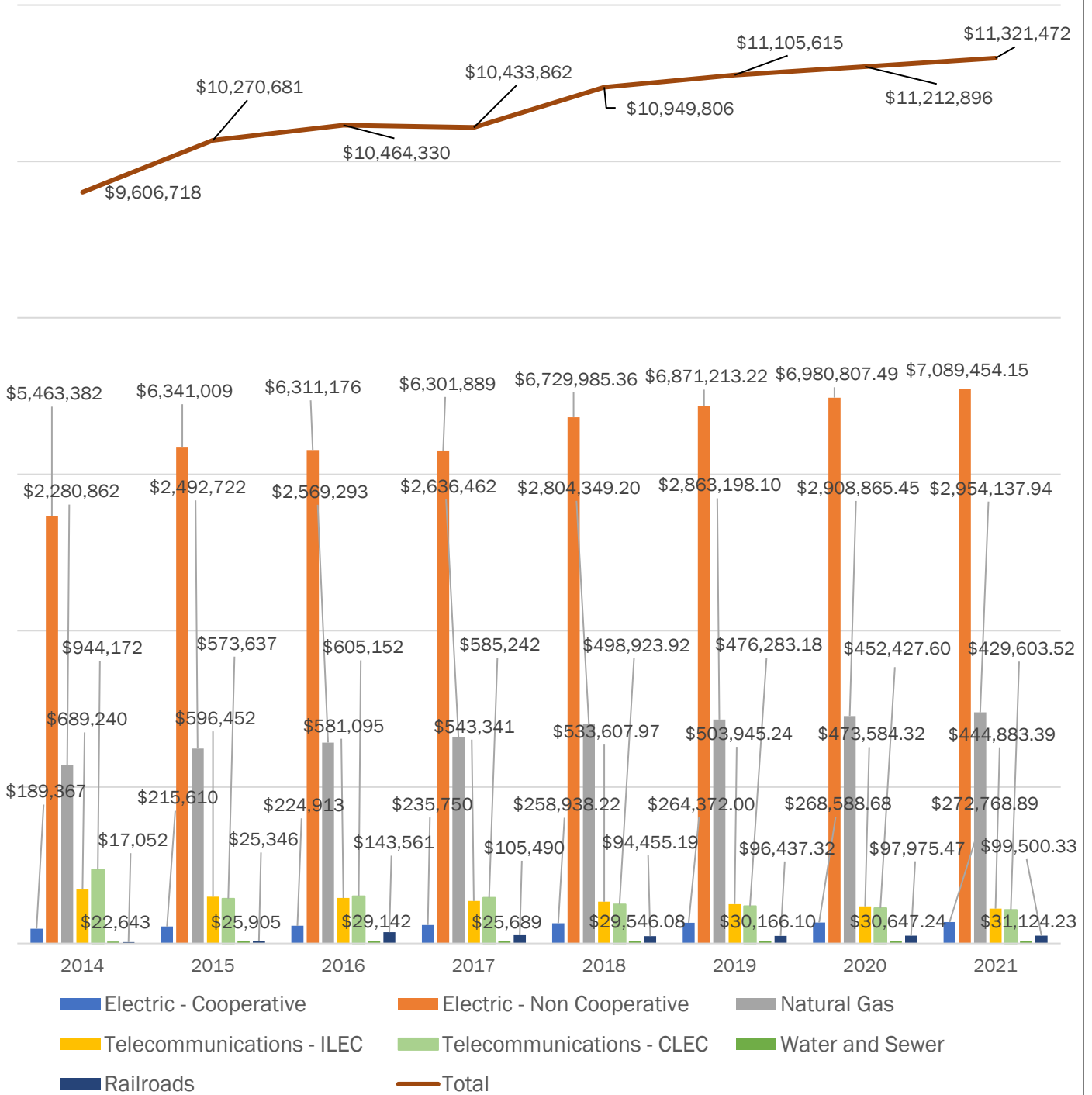
**Chart 1: Summary of Intrastate Gross Revenues Contributing to PURF Calculation**



**Chart 1B: Percentage by Utility (Intrastate Gross Revenues)**

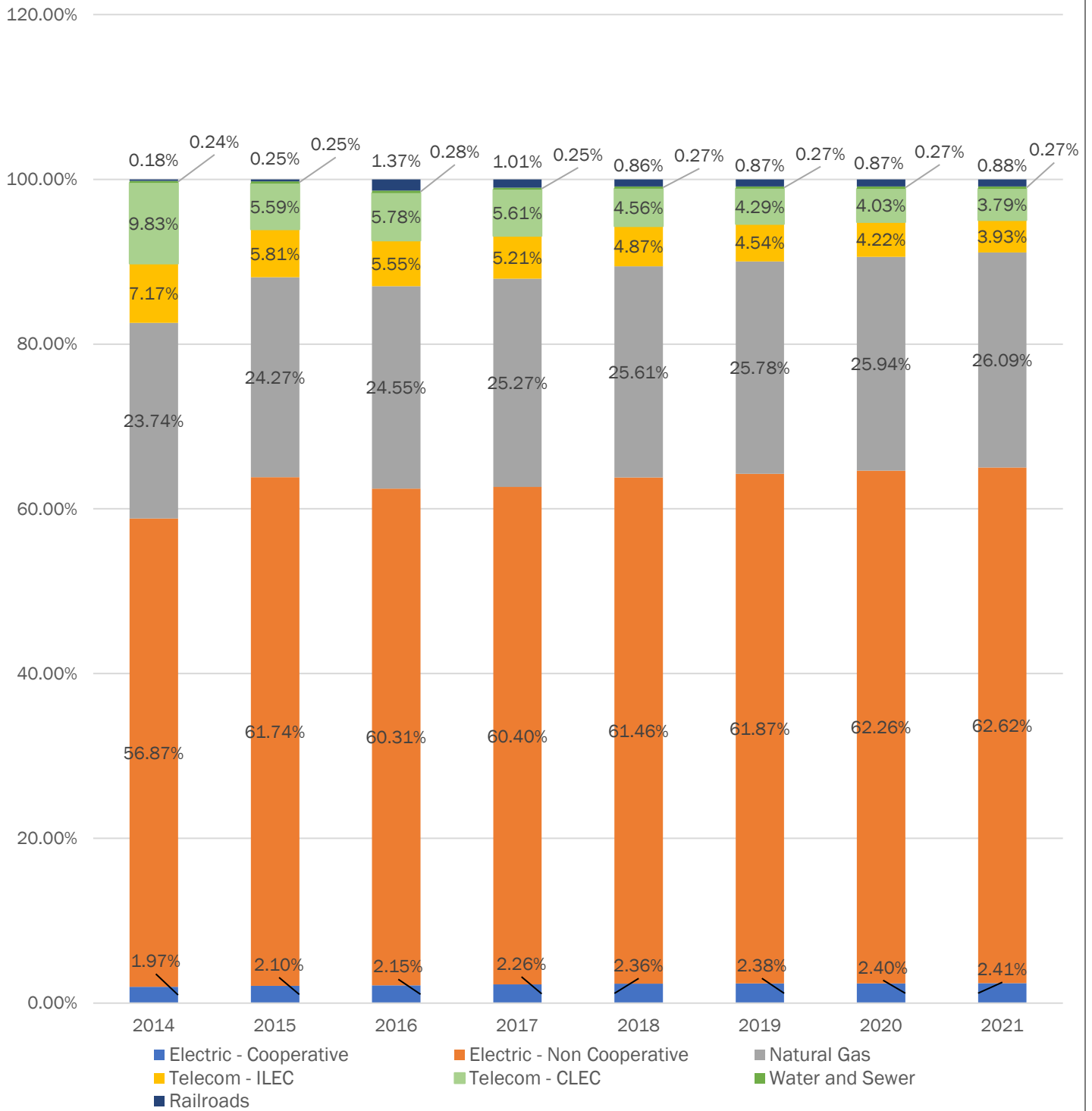


### Chart 2: Summary of Regulation Fees Collected by PURF

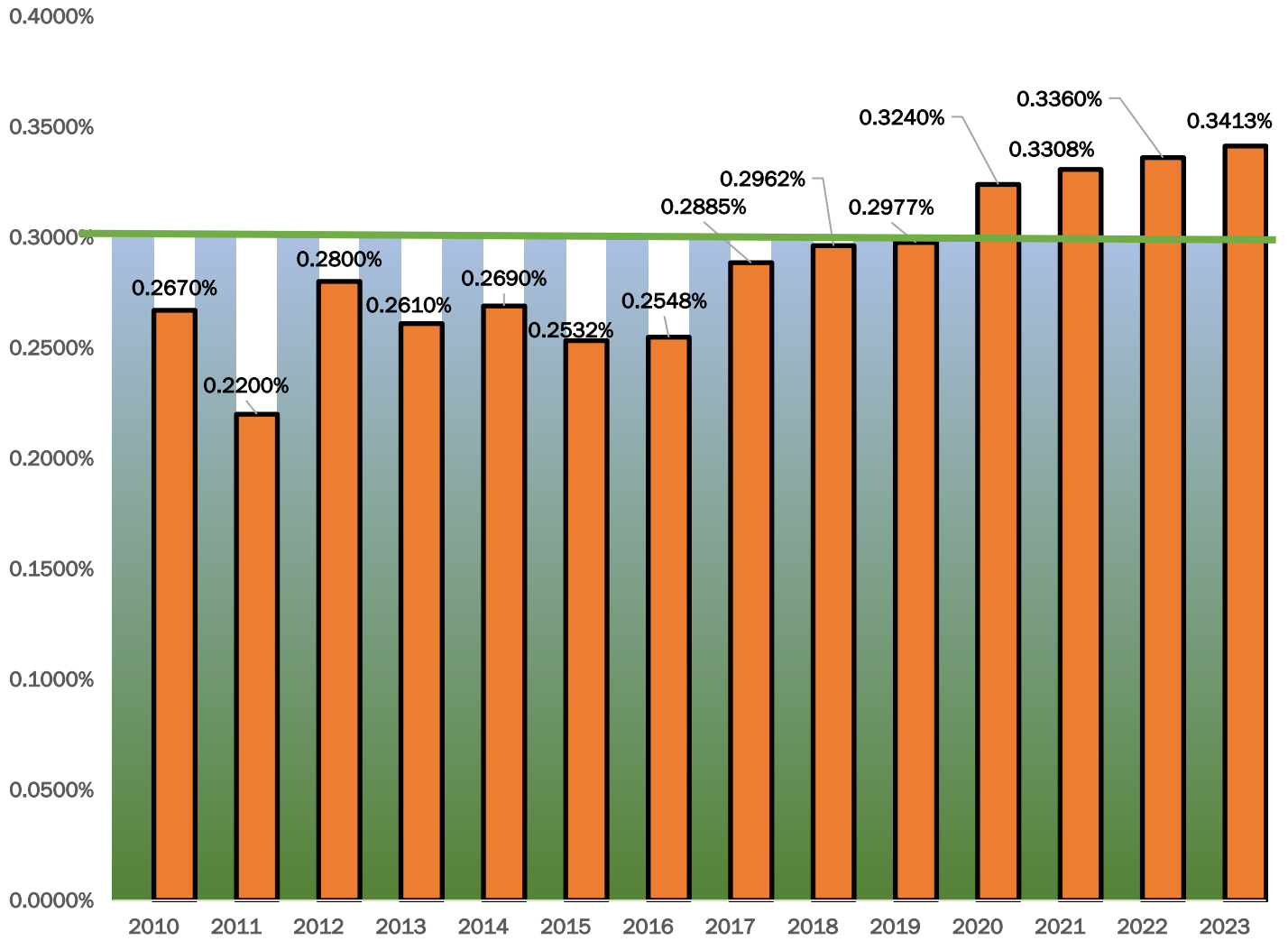




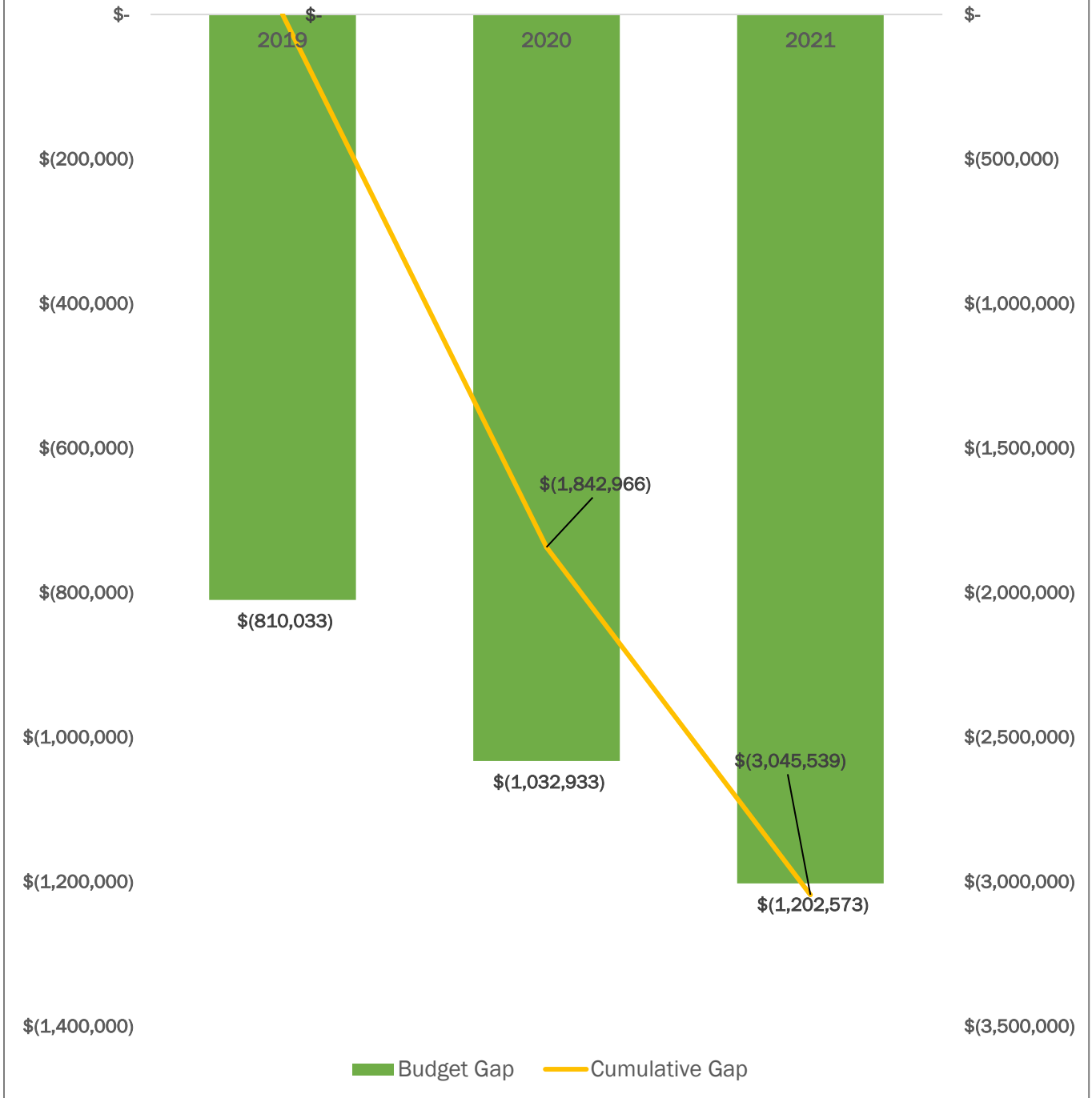
**Chart 2B: Percentage by Utility (Fees Collected)**



### PURF Rate History and Projections (NON-COOPERATIVE UTILITIES ONLY)

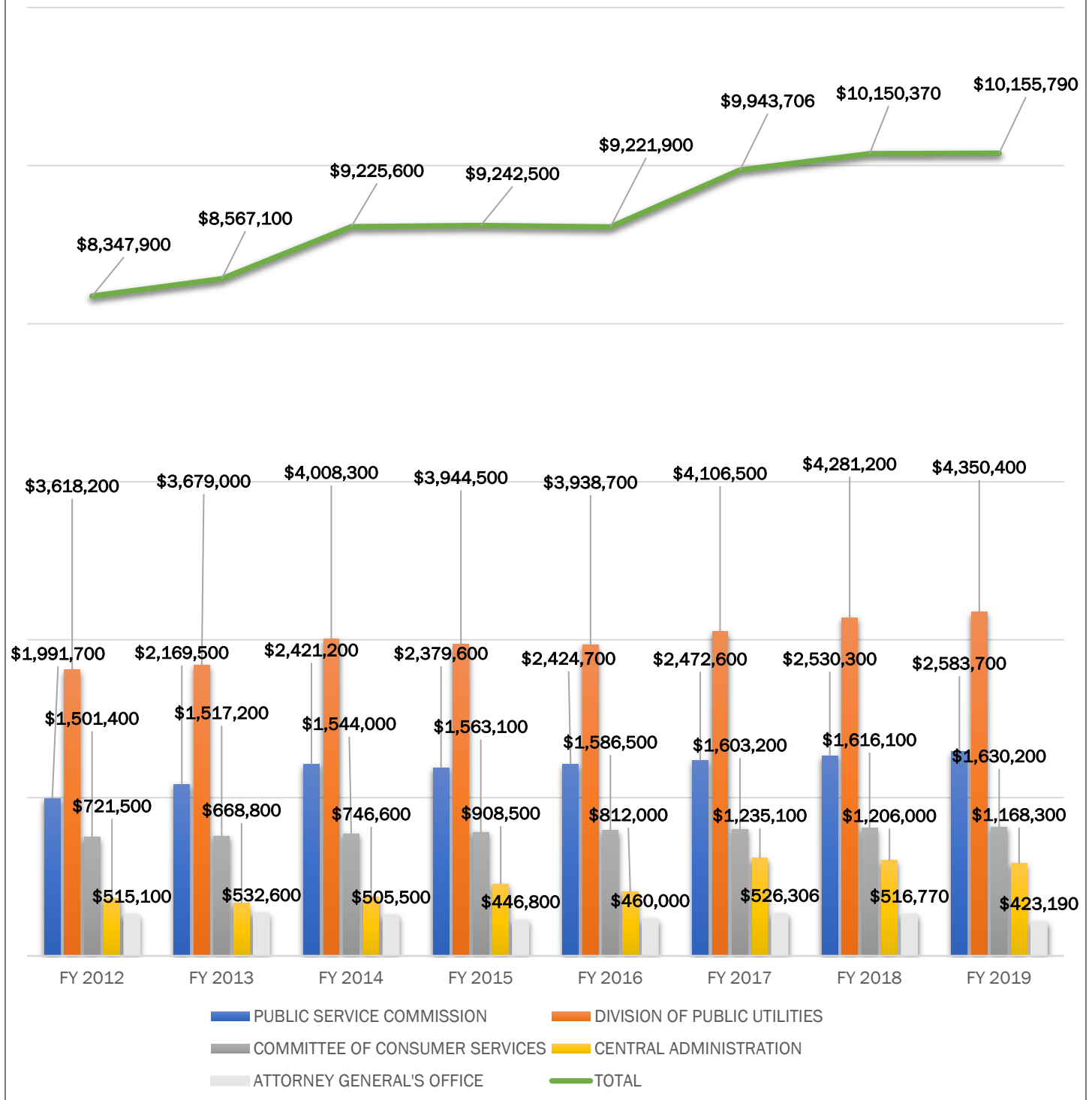


**Chart 4: Allocated vs Collected Budget Shortfall for Calendar Year 2019 - 2021**



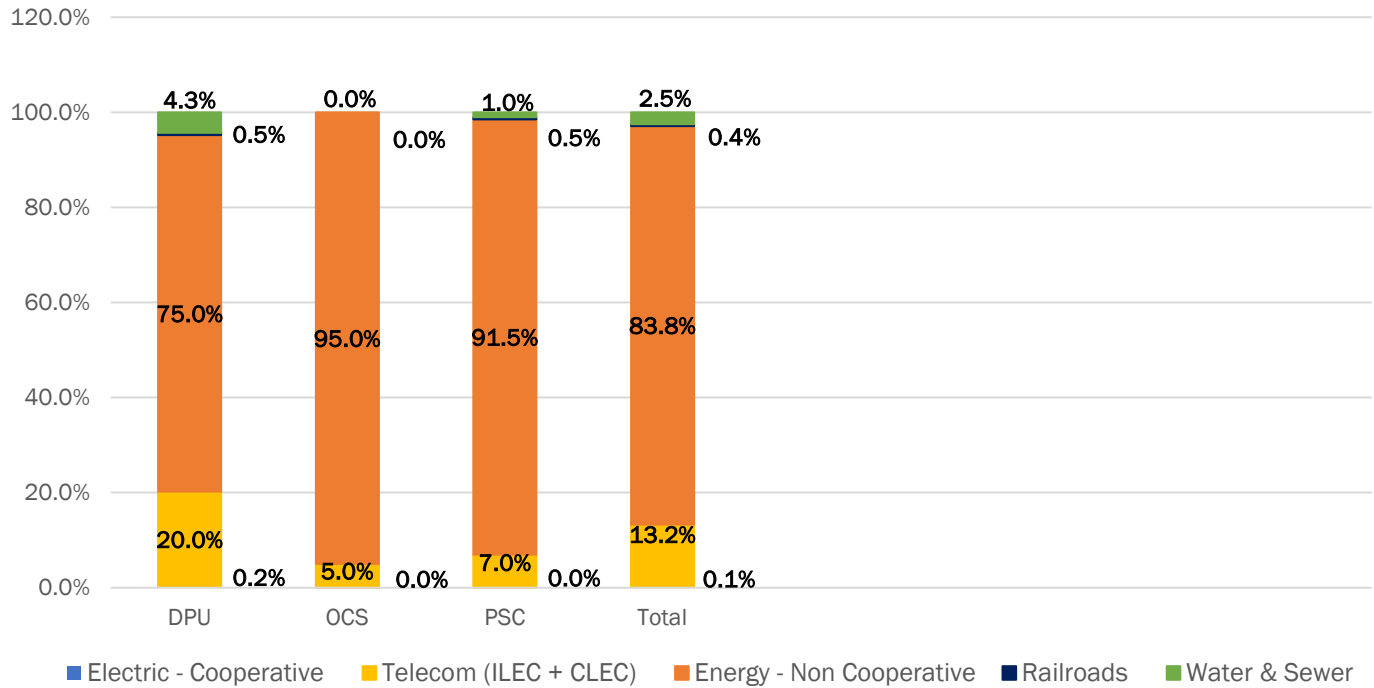
## PURF: Relevant Regulatory Agency Data

**Chart 5: Annual Budgets for the Public Service Commission, Division of Public Utilities, and the Office of Consumer Services**

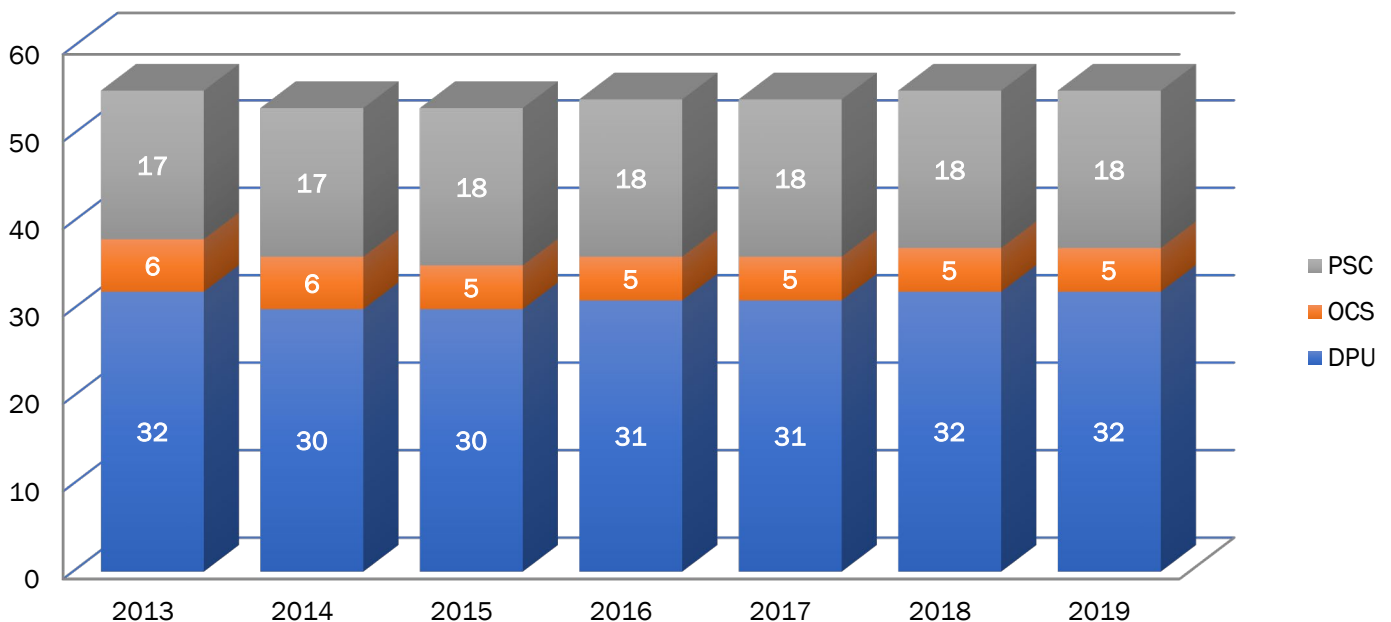




### Chart 6: Current Estimates of Staff Time Regulating Utilities



### Chart 7: Historical FTEs for the Public Service Commission, the Division of Public Utilities, and the Office of Consumer Services



Follow Up Information:

# Public Utilities Regulatory Fund Utah Universal Service Fund

Public Service Commission of Utah

Utah Division of Public Utilities

Utah Office of Consumer Services

# Background: Utility Regulation

Public Service Commission of Utah  
Utah Division of Public Utilities  
Utah Office of Consumer Services

- Public utilities are monopoly providers in specifically granted service territories
- Experience in other industries shows that without regulation, monopoly pricing results in higher than justified costs to consumers
- Rate regulation reviews all costs and revenues and sets rates at a level to give utilities the opportunity to earn a reasonable (not excessive) rate of return
- In Utah, the regulatory system includes the Public Service Commission, the Division of Public Utilities, and the Office of Consumer Service (as well as legal support from the Attorney General's office)
- Most states have a regulatory system with the same functions (decision-making body, investigation and analytical staff, advocacy staff) but the specific organization varies (sometimes within one agency, sometimes placed in different agencies)

# Background: PURF

Public Service Commission of Utah  
Utah Division of Public Utilities  
Utah Office of Consumer Services

- The Public Utilities Regulatory Fee was established to collect **all** of the costs of the regulatory system.
- All functions and expenses associated with the PSC, DPU, and OCS are collected through the PURF, not general funds
- This funding mechanism creates a “fee for service” – utility customers who benefit from regulation pay for the system. Taxpayers who are not utility customers do not pay.
- All associated budgets (PSC, DPU, OCS) are reviewed and scrutinized by the standard appropriation process each year.
- The PURF is calculated annually to collect only the costs appropriated by the Business, Economic Development, and Labor Appropriation Subcommittee.
- **Customer groups involved in utility issues all support the PURF because the regulatory system keeps utility rates low. Ratepayers savings far exceed the cost of the PURF.**



# Background: PURF Calculations

Public Service Commission of Utah  
Utah Division of Public Utilities  
Utah Office of Consumer Services

- The basic PURF formula is simple:

$$\frac{\text{Total appropriated regulatory costs}}{\text{Gross operating revenues of all utilities}} = \text{PURF rate}$$

(adjusted to remove other revenue sources and for different elec. co-op rate)

- The actual PURF rate will vary if appropriated budgets change AND if utility revenues change
- In the past, utility revenues increased at a rate equal to or greater to the increase of regulatory costs
- For example, in years when the PURF rate was lowered this was often due to higher utility revenues.
- Regulatory costs have been stable, with slow growth attributable primarily to increases in employee costs (COLA, health care) [See chart from October 7<sup>th</sup> meeting and following slides]
- Utility revenues have declined in recent years due to a few factors (line loss experienced by telecom utilities, lower taxes due to federal tax reform)—Fundamental industry shifts
- Now, the 0.3% cap prevents PURF from collecting all of the legislatively appropriated costs

# PURF Forecasts

Public Service Commission of Utah  
Utah Division of Public Utilities  
Utah Office of Consumer Services

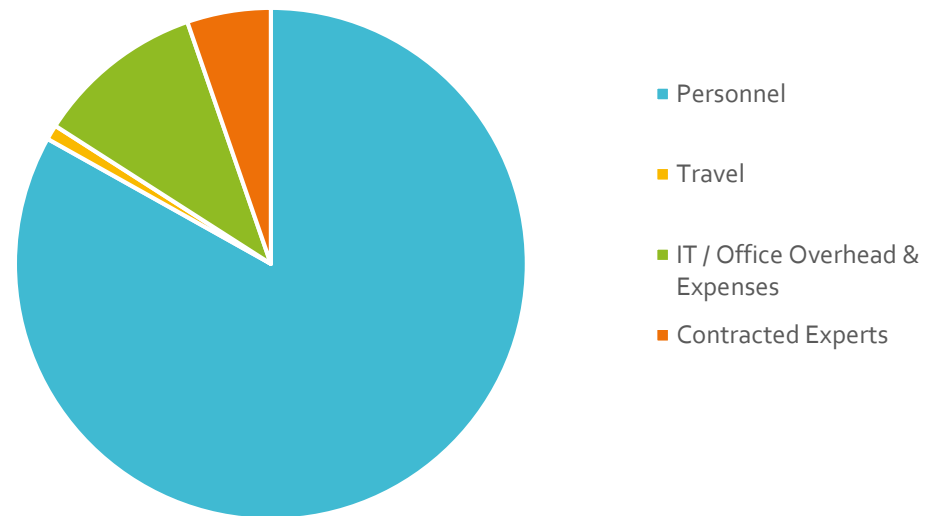
- PURF is difficult to forecast because the calculation involves both the regulatory budgets AND changes in utility revenues
- Typically, the timing and size of utility rate changes (affecting revenue) are driven by the utility itself and not predictable
- Other factors, such as the federal tax reform, are also difficult to predict
- If trends continue, the shortfall created by the 0.3% cap will increase over time. However, investments by the energy utilities could increase utility revenue sufficient to mitigate the shortfall.

# Employee Costs

Public Service Commission of Utah  
Utah Division of Public Utilities  
Utah Office of Consumer Services

- Employee costs comprise 83% of PURF expenditures
- Employee costs plus office overhead comprise 94% of PURF

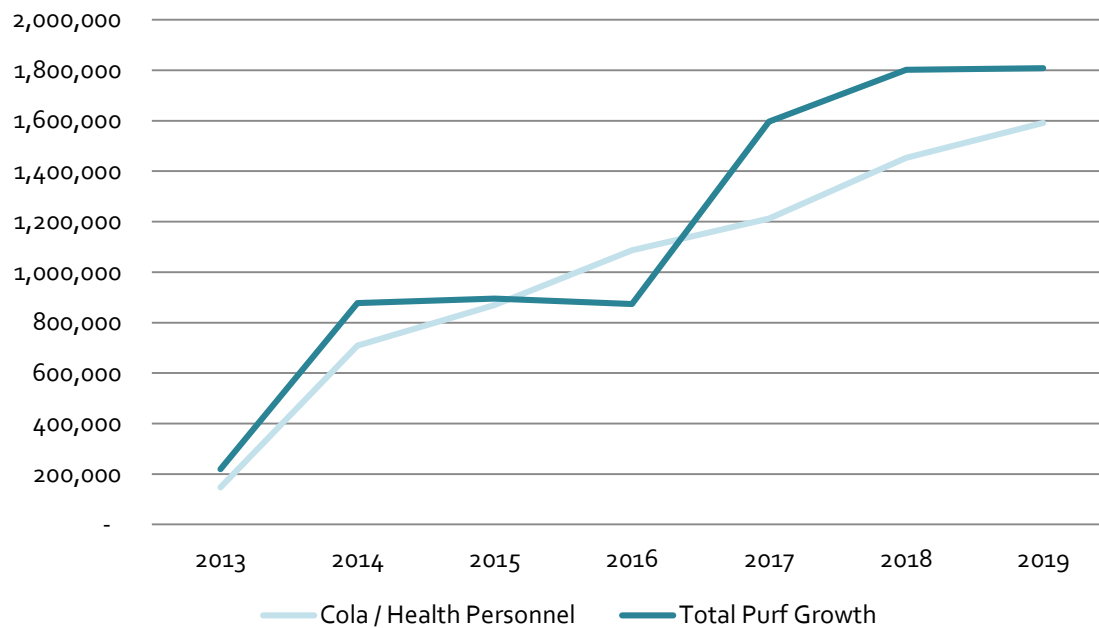
2019 PURF Expenditures by Category



# Higher Employee Costs are Driving Budget Increases

Public Service Commission of Utah  
Utah Division of Public Utilities  
Utah Office of Consumer Services

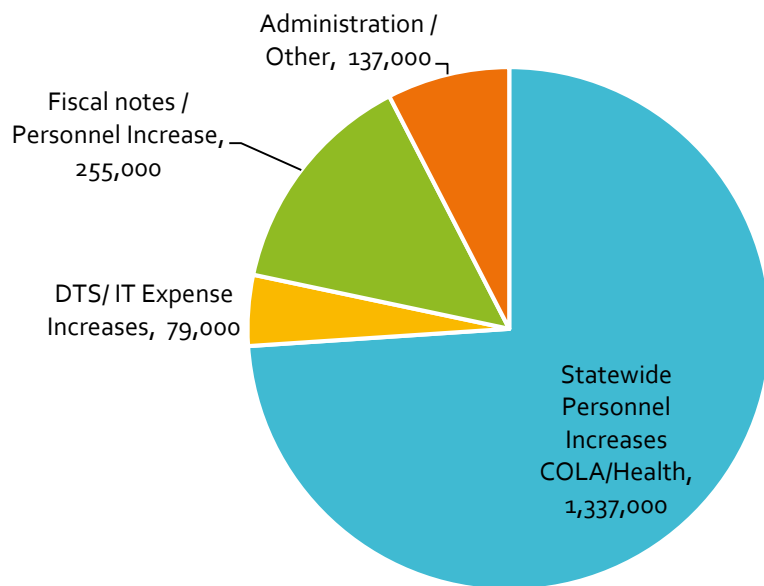
## Personnel as Portion of Total PURF Appropriation Increases



# Higher Employee Costs are Driving Budget Increases

Public Service Commission of Utah  
Utah Division of Public Utilities  
Utah Office of Consumer Services

## PURF Cumulative Increases by Category 2012 - 2019



# UUSF Background

Public Service Commission of Utah  
Utah Division of Public Utilities  
Utah Office of Consumer Services

- Universal service is a longstanding concept acknowledging the increased value of everyone's telephone connections when service is available to all.
- Agency responsibilities regarding UUSF:
  - The Division of Public Utilities analyzes UUSF-supported rural carriers' operations and finances to evaluate appropriate levels of USF support
  - The Office of Consumer Services reviews the rural carriers' filings and the DPU analysis and takes positions on whether the UUSF rates and payouts are in the interest of residential and small commercial customers.
  - The Public Service Commission makes the final determination if the UUSF payouts are properly calculated, consistent with statutory guidance, and in the public interest.
- USF funds provide significant help in building high-speed networks throughout the state, benefiting all users of those networks (local residents, callers to local numbers, wireless companies and customers, etc)

# UUSF: Portion of Telecom Regulation

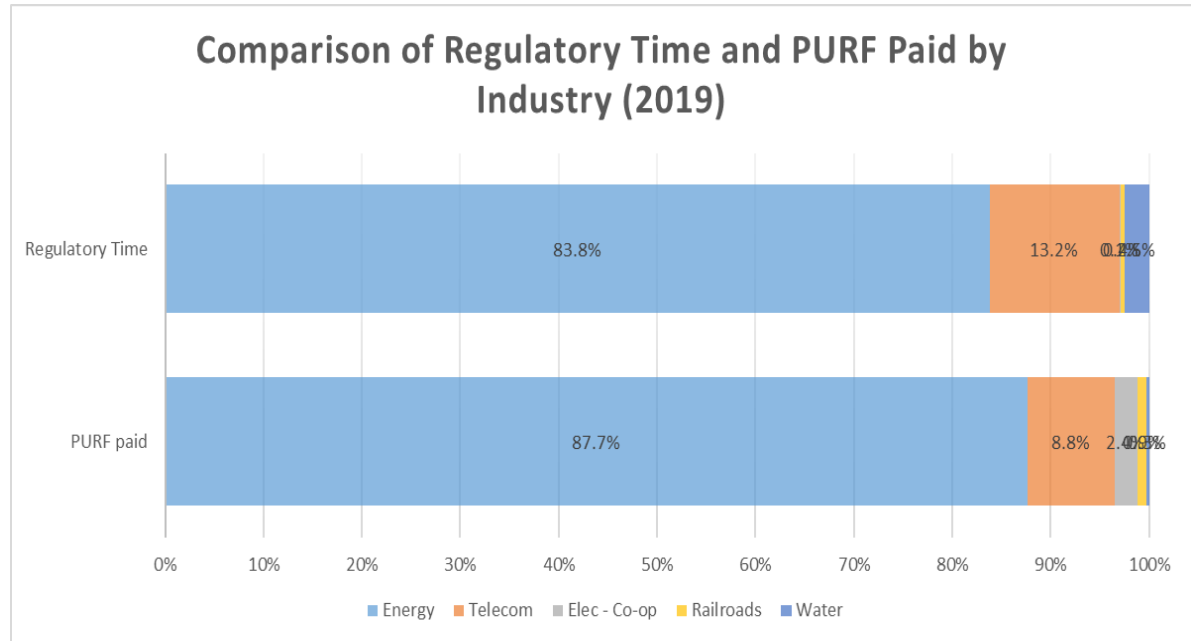
Public Service Commission of Utah  
Utah Division of Public Utilities  
Utah Office of Consumer Services

- Across all three agencies, UUSF administration comprises the majority of costs associated with telecom regulation.
- Current estimates of staff time (weighted average) is as follows:

Energy	83.8%	Energy	83.8%
Telecom	13.2%	UUSF	12.5%
		Telecom - Other	1.7%
Elec - Co-op	0.1%	Elec. Co-op	0.1%
Railroads	0.4%	Railroads	0.4%
Water	2.5%	Water	2.5%

# Telecom/ UUSF regulation is underpaying

Public Service Commission of Utah  
Utah Division of Public Utilities  
Utah Office of Consumer Services





# Policy Proposals: Assumptions Pros/Cons

Public Service Commission of Utah  
Utah Division of Public Utilities  
Utah Office of Consumer Services

- Amend the statute to include wireless providers to pay into the PURF
  - Insufficient information to model this scenario. We would need revenue projections from the wireless companies, which are not publicly available, likely to be highly confidential, and the PSC does not have authority to obtain the information.
  - Recent history with the UUSF shows that assessing a PURF fee on wireless providers based on intrastate revenue could lead to variable and likely diminishing payments based on revenue designations by the wireless providers that state utility regulators do not have legal authority to audit.
- Raise the fee rate cap
  - This would be a straightforward solution.
- Fill with another funding source
  - Represents fundamental shift from a system where customers who benefit from utility regulation are responsible to pay for it.
  - Concerns about viability.

# Policy Proposals: Assumptions Pros/Cons

Public Service Commission of Utah  
Utah Division of Public Utilities  
Utah Office of Consumer Services

- Limit agencies to the functions that can be recovered within the current cap.
  - All costs have been through the full appropriations review and oversight. The process for cutting costs outside of the appropriations review is not clear.
  - Agencies' budgets are mostly personnel expenses, so significant reductions would require reductions in personnel.
  - Costs are not assigned to functions. Since the regulatory system is reactive to utility filings, the agencies cannot predict what function would be reduced or eliminated. It depends on what types of utility filings are made in any given year.
  - Because utilities unilaterally control which filings they make and when, regulators must maintain staffing for the heaviest workload periods. Reducing staff would require increased reliance on temporary employees without the current levels of expertise and experience.
  - Likely results: Rates for customers would receive less review, PSC might take longer to provide orders or be more rushes in providing orders or have less time to educate itself in providing orders. **These factors increase the potential for higher utility rates and more consumer complaints and dissatisfaction.**

# Policy Proposals: Assumptions Pros/Cons

Public Service Commission of Utah  
Utah Division of Public Utilities  
Utah Office of Consumer Services

- Eliminate the PURF and fund regulation from the general fund
  - Represents fundamental shift from a system where customers who benefit from utility regulation are responsible to pay for it.
  - Concerns about viability.
  - All divisions at Department of Commerce charge fees to recover costs.
- Link the UUSF and PURF together and have the UUSF make up the shortfall in years when the telecom revenues are insufficient to cover UUSF administration.
  - This solution would only utilize the UUSF in certain years.
  - This solution would cover the projected shortfall.

# Policy Proposals: Assumptions Pros/Cons

Public Service Commission of Utah  
Utah Division of Public Utilities  
Utah Office of Consumer Services

- Create different PURF rates for different sectors based up how much time it takes to regulate each sector
  - This scenario would need to capture increased costs for coding employee time and more complex utility billing.
  - This scenario cannot easily be modeled. Calculations should be based on a multiple year average to capture workload variations. This data is not available and it would be inappropriate to base projections on a single year that could be an outlier. Also, we do not have revenue projections for Centurylink or wireless providers.
  - This approach does not include any fixed charges for the existence of the regulatory system. If the system weren't always in place, utility business decisions would be significantly slowed down. Thus, some fixed charge for the system is warranted.
  - Charging by usage could create incentives for utilities to avoid making regulatory filings, which could lead to unnecessarily high rates and more consumer dissatisfaction.
  - The data shows that currently: telecom is underpaying, there are disparities among telecom providers regarding over- and under-paying, and there are disparities among the very small categories regarding over- and under-paying.

# Policy Proposals: Assumptions Pros/Cons

Public Service Commission of Utah  
Utah Division of Public Utilities  
Utah Office of Consumer Services

- Raise the rate from 0.3% based on an adjustment designed to recover lost tax revenue due to federal tax reform; or raise the statutory minimum from \$50 based on federal tax reform adjustment
  - Our calculations show that to adjust PURF solely to account for lost tax revenues would increase PURF from 0.3% to 0.324%
    - This rate change would not recover enough additional revenue to cover all legislatively appropriated costs.
    - This approach introduces complexity: it should not apply to cooperatives who don't pay income tax, it raises the question of whether ongoing changes would be necessary to address future federal tax policy changes
  - Our calculations show that the statutory minimum would have to be raised to well over \$1000 to recover the current shortfall
    - Other changes to the statutory minimum would have minimal impact
    - Difficult to match a change in minimum to tax policy because of variations in revenue among small companies.
    - This proposal burdens the smallest companies (or companies with a small presence in Utah.)

# Policy Proposals: Assumptions Pros/Cons

Public Service Commission of Utah  
Utah Division of Public Utilities  
Utah Office of Consumer Services

- Remove all telecommunications from PURF and fund telecom regulation completely in the UUSF
  - This proposal would need additional legal review. The agencies are concerned that removing all telecommunications from PURF into UUSF could violate federal law.
  - Removing UUSF related regulatory expenses from PURF likely does not suffer from the same concerns. UUSF expenses represent the bulk of the telecom-related expenses.
- Cap on the UUSF
  - A cap on the per connection charge would be very transparent and the easiest to administer.
  - The Cap should be accompanied with an authorization to collect the costs of administering the UUSF from the UUSF account.
  - Estimates indicate that this proposal would cover the projected shortfall.
  - Since UUSF costs are projected to decline, a cap would not be expected to trigger the need for prioritizations of uses in the near future.
  - Capping per connection surcharge allows growth in the total fund as line growth occurs with general population and economic growth, minimizing the need for future legislative cap adjustments.

1                                   **UNIVERSAL SERVICE FUND AMENDMENTS**

2   2017 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: David P. Hinkins**

5                                   House Sponsor: Francis D. Gibson

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7 **LONG TITLE**

8 **General Description:**

9           This bill amends provisions related to the Universal Public Telecommunications  
10 Service Support Fund.

11 **Highlighted Provisions:**

12           This bill:

- 13           ▶ provides that a telecommunications provider that establishes and maintains a  
14 network capable of providing access lines, connections, or wholesale broadband  
15 Internet access service may qualify for payments from the Universal Public  
16 Telecommunications Service Support Fund for use in carrier of last resort areas;
- 17           ▶ requires each access line or connection provider in the state to contribute to the  
18 Universal Public Telecommunications Service Support Fund;
- 19           ▶ requires the Public Service Commission to develop a method for calculating the  
20 amount of each contribution charge assessed to an access line or connection  
21 provider;
- 22           ▶ combines a surcharge and funding for administering the hearing and speech  
23 impaired program with the Universal Public Telecommunications Service Support  
24 Fund and surcharge;
- 25           ▶ provides for a depreciation method and rate-of-return for a carrier of last resort that  
26 receives support from the Universal Public Telecommunications Service Support  
27 Fund;
- 28           ▶ provides that a wireless telecommunications provider is eligible for a distribution  
29 from the Universal Public Telecommunications Service Support Fund for providing

30 lifeline service under certain circumstances; and

31       ▶ defines terms.

32 **Money Appropriated in this Bill:**

33       None

34 **Other Special Clauses:**

35       This bill provides a special effective date.

36 **Utah Code Sections Affected:**

37 AMENDS:

38       **54-8b-2**, as last amended by Laws of Utah 2005, Chapter 5

39       **54-8b-10**, as last amended by Laws of Utah 2016, Chapter 271

40       **54-8b-15**, as last amended by Laws of Utah 2013, Chapter 400

41       **63J-1-602.3**, as last amended by Laws of Utah 2016, Chapters 52 and 271



43 *Be it enacted by the Legislature of the state of Utah:*

44       Section 1. Section **54-8b-2** is amended to read:

45       **54-8b-2. Definitions.**

46       As used in this chapter:

47       (1) "Access line" means a circuit-switched connection, or the functional equivalent of a  
48 circuit-switched connection, from an end-user to the public switched network.

49       ~~(1)~~ (2) (a) "Aggregator" means any person or entity that:

50       (i) is not a telecommunications corporation;

51       (ii) in the ordinary course of its business makes operator assisted services available to  
52 the public or to customers and transient users of its business or property through an operator  
53 service provider; and

54       (iii) receives from an operator service provider by contract, tariff, or otherwise,  
55 commissions or compensation for calls delivered from the aggregator's location to the operator  
56 service provider.

57       (b) "Aggregator" may include any hotel, motel, hospital, educational institution,



58 government agency, or coin or coinless telephone service provider so long as that entity  
59 qualifies under Subsection ~~[(1)]~~ (2)(a).

60 ~~[(2)]~~ (3) "Basic residential service" means a local exchange service for a residential  
61 customer consisting of:

- 62 (a) a single line with access to the public switched network;
- 63 (b) touch-tone or the functional equivalent;
- 64 (c) local flat-rate unlimited usage, exclusive of extended area service;
- 65 (d) single-party service;
- 66 (e) a free phone number listing in directories received for free;
- 67 (f) access to operator services;
- 68 (g) access to directory assistance;
- 69 (h) access to lifeline and telephone relay assistance;
- 70 (i) access to 911 and E911 emergency services;
- 71 (j) access to long-distance carriers;
- 72 (k) access to toll limitations services;
- 73 (l) other services as may be determined by the commission; and
- 74 (m) no feature.

75 ~~[(3)]~~ (4) "Certificate" means a certificate of public convenience and necessity issued by  
76 the commission authorizing a telecommunications corporation to provide specified public  
77 telecommunications services within a defined geographic service territory in the state.

78 ~~[(4)]~~ (5) "Division" means the Division of Public Utilities established in Section  
79 [54-4a-1](#).

80 ~~[(5)]~~ (6) "Essential facility or service" means any portion, component, or function of  
81 the network or service offered by a provider of local exchange services:

- 82 (a) that is necessary for a competitor to provide a public telecommunications service;
- 83 (b) that cannot be reasonably duplicated; and
- 84 (c) for which there is no adequate economic alternative to the competitor in terms of  
85 quality, quantity, and price.

86           ~~[(6)]~~ (7) (a) "Feature" means a custom calling service available from the central office  
87 switch, including call waiting, call forwarding, three-way calling, and similar services.

88           (b) "Feature" does not include long distance calling.

89           ~~[(7)]~~ (8) "Federal Telecommunications Act" means the Communications Act of 1934,  
90 as amended, and the Federal Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat.  
91 56.

92           ~~[(8)]~~ (9) "Incumbent telephone corporation" means a telephone corporation, its  
93 successors or assigns, which, as of May 1, 1995, held a certificate to provide local exchange  
94 services in a defined geographic service territory in the state.

95           ~~[(9)]~~ (10) "Intrastate telecommunications service" means any public  
96 telecommunications service in which the information transmitted originates and terminates  
97 within the boundaries of this state.

98           ~~[(10)]~~ (11) "Local exchange service" means the provision of telephone lines to  
99 customers with the associated transmission of two-way interactive, switched voice  
100 communication within the geographic area encompassing one or more local communities as  
101 described in maps, tariffs, or rate schedules filed with and approved by the commission.

102           ~~[(11)]~~ (12) "Mobile telecommunications service" means a mobile telecommunications  
103 service:

104           (a) that is defined as a mobile telecommunications service in the Mobile  
105 Telecommunications Sourcing Act, 4 U.S.C. Sec. 124; and

106           (b) in which the information transmitted originates and terminates in one state.

107           ~~[(12)]~~ (13) (a) "New public telecommunications service" means a service offered by a  
108 telecommunications corporation which that corporation has never offered before.

109           (b) "New public telecommunications service" does not include:

110           (i) a tariff, price list, or competitive contract that involves a new method of pricing any  
111 existing public telecommunications service;

112           (ii) a package of public telecommunications services that includes an existing public  
113 telecommunications service; or

- 114 (iii) a public telecommunications service that is a direct replacement for:
- 115 (A) a fully regulated service;
- 116 (B) an existing service offered pursuant to a tariff, price list, or competitive contract; or
- 117 (C) an essential facility or an essential service.

118 [~~(13)~~] (14) "Operator assisted services" means services which assist callers in the  
119 placement or charging of a telephone call, either through live intervention or automated  
120 intervention.

121 [~~(14)~~] (15) "Operator service provider" means any person or entity that provides, for a  
122 fee to a caller, operator assisted services.

123 [~~(15)~~] (16) "Price-regulated service" means any public telecommunications service  
124 governed by Section 54-8b-2.3.

125 (17) "Public switched network" means the same as that term is defined in 47 C.F.R.  
126 Sec. 20.3.

127 [~~(16)~~] (18) "Public telecommunications service" means the two-way transmission of  
128 signs, signals, writing, images, sounds, messages, data, or other information of any nature by  
129 wire, radio, lightwaves, or other electromagnetic means offered to the public generally.

130 [~~(17)~~] (19) "Substantial compliance" with reference to a rule or order of the  
131 commission means satisfaction of all material obligations in a manner consistent with the rule  
132 or order.

133 [~~(18)~~] (20) "Telecommunications corporation" means any corporation or person, and  
134 their lessees, trustees, receivers, or trustees appointed by any court, owning, controlling,  
135 operating, managing, or reselling a public telecommunications service.

136 [~~(19)~~] (21) (a) "Total service long-run incremental cost" means the forward-looking  
137 incremental cost to a telecommunications corporation caused by providing the entire quantity  
138 of a public telecommunications service, network function, or group of public  
139 telecommunications services or network functions, by using forward-looking technology,  
140 reasonably available, without assuming relocation of existing plant and equipment.

141 (b) The "long-run" means a period of time long enough so that cost estimates are based

142 on the assumption that all inputs are variable.

143 Section 2. Section **54-8b-10** is amended to read:

144 **54-8b-10. Imposing a surcharge to provide hearing and speech impaired persons**  
145 **with telecommunication devices -- Definitions -- Procedures for establishing program --**  
146 **Surcharge -- Administration and disposition of surcharge money.**

147 (1) As used in this section:

148 (a) "Certified deaf or severely hearing or speech impaired person" means any state  
149 resident who:

150 (i) is so certified by:

151 (A) a licensed physician;

152 (B) an otolaryngologist;

153 (C) a speech language pathologist;

154 (D) an audiologist; or

155 (E) a qualified state agency; and

156 (ii) qualifies for assistance under any low income public assistance program  
157 administered by a state agency.

158 (b) "Certified interpreter" means a person who is a certified interpreter under Title  
159 35A, Chapter 13, Part 6, Interpreter Services for the Deaf and Hard of Hearing Act.

160 (c) (i) "Telecommunication device" means any mechanical adaptation device that  
161 enables a deaf or severely hearing or speech impaired person to use the telephone.

162 (ii) "Telecommunication device" includes:

163 (A) telecommunication devices for the deaf (TDD);

164 (B) telephone amplifiers;

165 (C) telephone signal devices;

166 (D) artificial larynxes; and

167 (E) adaptive equipment for TDD keyboard access.

168 (2) The commission shall [~~hold hearings to~~] establish a program whereby a certified  
169 deaf or severely hearing or speech impaired customer of a telecommunications corporation that

170 provides service through a local exchange or of a wireless telecommunications provider may  
171 obtain a telecommunication device capable of serving the customer at no charge to the  
172 customer beyond the rate for basic service.

173 (3) (a) The program described in Subsection (2) shall provide a dual party relay system  
174 using third party intervention to connect a certified deaf or severely hearing or speech impaired  
175 person with a normal hearing person by way of telecommunication devices designed for that  
176 purpose.

177 (b) The commission may, by rule, establish the type of telecommunications device to  
178 be provided to ensure functional equivalence.

179 ~~[(4) (a) The commission shall impose a surcharge on each residential and business  
180 access line of each customer of local-exchange telephone service in this state, and each  
181 residential and business telephone number of each customer of mobile telephone service in this  
182 state, not including a telephone number used exclusively to transfer data to and from a mobile  
183 device, which shall be collected by the telecommunications corporation providing public  
184 telecommunications service to the customer, to cover the costs of:]~~

185 ~~[(i) the program described in Subsection (2); and]~~

186 ~~[(ii) payments made under Subsection (5).]~~

187 ~~[(b) The commission shall establish by rule the amount to be charged under this  
188 section, provided that:]~~

189 ~~[(i) the surcharge does not exceed 20 cents per month for each residential and business  
190 access line for local-exchange telephone service, and for each residential and business  
191 telephone number for mobile telephone service, not including a telephone number used  
192 exclusively to transfer data to and from a mobile device; and]~~

193 ~~[(ii) if the surcharge is related to a mobile telecommunications service, the surcharge  
194 may be imposed, billed, and collected only to the extent permitted by the Mobile  
195 Telecommunications Sourcing Act, 4 U.S.C. Sec. 116 et seq.]~~

196 ~~[(c) The telecommunications corporation shall collect the surcharge from its customers  
197 and transfer the money collected to the commission under rules adopted by the commission.]~~

198 ~~[(d) The surcharge shall be separately identified on each bill to a customer.]~~

199 ~~[(5)(a) Money collected from the surcharge imposed under Subsection (4) shall be~~  
200 ~~deposited in the state treasury as dedicated credits to be administered as determined by the~~  
201 ~~commission.]~~

202 ~~[(b) These dedicated credits may be used only:]~~

203 (4) The commission shall cover the costs of the program described in this section from  
204 the Universal Public Telecommunications Service Support Fund created in Section 54-8b-15.

205 (5) In administering the program described in this section, the commission may use  
206 funds from the Universal Public Telecommunications Service Support Fund:

207 ~~[(i)]~~ (a) for the purchase, maintenance, repair, and distribution of telecommunication  
208 devices;

209 ~~[(ii)]~~ (b) for the acquisition, operation, maintenance, and repair of a dual party relay  
210 system;

211 ~~[(iii) to reimburse telephone corporations for the expenses incurred in collecting and~~  
212 ~~transferring to the commission the surcharge imposed by the commission;]~~

213 ~~[(iv)]~~ (c) for the general administration of the program;

214 ~~[(v)]~~ (d) to train ~~[persons]~~ individuals in the use of telecommunications devices; and

215 ~~[(vi)]~~ (e) ~~[by the commission]~~ to contract, in compliance with Title 63G, Chapter 6a,  
216 Utah Procurement Code, with:

217 ~~[(A)]~~ (i) an institution within the state system of higher education listed in Section  
218 53B-1-102 for a program approved by the Board of Regents that trains persons to qualify as  
219 certified interpreters; or

220 ~~[(B)]~~ (ii) the Utah State Office of Rehabilitation created in Section 35A-1-202 for a  
221 program that trains persons to qualify as certified interpreters.

222 ~~[(c)]~~ (i) (6) The commission [shall make rules] may create disbursement criteria and  
223 procedures by rule made under Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for  
224 ~~[the administration of money under Subsection (5)(b)(vi)]~~ administering funds under  
225 Subsection (5).

226 ~~[(ii) In the initial rulemaking to determine the administration of money under~~  
 227 ~~Subsection (5)(b)(vi), the commission shall give notice and hold a public hearing.]~~

228 ~~[(d) Money received by the commission under Subsection (4) is nonlapsing.]~~

229 ~~[(6) (a) The telephone surcharge need not be collected by a telecommunications~~  
 230 ~~corporation if the amount collected would be less than the actual administrative costs of the~~  
 231 ~~collection.]~~

232 ~~[(b) If Subsection (6)(a) applies, the telecommunications corporation shall submit to~~  
 233 ~~the commission, in lieu of the revenue from the surcharge collection, a breakdown of the~~  
 234 ~~anticipated costs and the expected revenue from the collection, showing that the costs exceed~~  
 235 ~~the revenue.]~~

236 (7) The commission shall solicit ~~[the]~~ advice, counsel, and physical assistance ~~[of~~  
 237 ~~severely hearing or speech impaired persons and the organizations serving them]~~ from deaf,  
 238 hard of hearing, or severely speech impaired individuals and the organizations serving deaf,  
 239 hard of hearing, or severely speech impaired individuals in the design and implementation of  
 240 the program.

241 Section 3. Section **54-8b-15** is amended to read:

242 **54-8b-15. Universal Public Telecommunications Service Support Fund --**  
 243 **Commission duties -- Charges -- Lifeline program.**

244 (1) For purposes of this section:

245 ~~[(a) "Basic telephone service" means local exchange service and may include such~~  
 246 ~~other functions and elements, if any, as the commission determines to be eligible for support by~~  
 247 ~~the fund.]~~

248 (a) "Broadband Internet access service" means the same as that term is defined in 47  
 249 C.F.R. Sec. 8.2.

250 (b) "Carrier of last resort" means:

251 (i) an incumbent telephone corporation; or

252 (ii) a telecommunications corporation that, under Section [54-8b-2.1](#):

253 (A) has a certificate of public convenience and necessity to provide local exchange

254 service; and

255 (B) has an obligation to provide public telecommunications service to any customer or  
256 class of customers that requests service within the local exchange.

257 (c) "Connection" means an authorized session that uses Internet protocol or a  
258 functionally equivalent technology standard to enable an end-user to initiate or receive a call  
259 from the public switched network.

260 ~~[(b)]~~ (d) "Fund" means the Universal Public Telecommunications Service Support  
261 Fund established in this section.

262 (e) "Non-rate-of-return regulated" means having price flexibility under Section  
263 54-8b-2.3.

264 (f) "Rate-of-return regulated" means subject to regulation under Section 54-4-4.

265 (g) "Wholesale broadband Internet access service" means the end-user loop component  
266 of Internet access provided by a rate-of-return regulated carrier of last resort that is used to  
267 provide, at retail:

268 (i) combined consumer voice and broadband Internet access; or

269 (ii) stand-alone, consumer, broadband-only Internet access.

270 ~~[(2) The commission shall establish]~~

271 (2) (a) There is established an expendable special revenue fund known as the  
272 "Universal Public Telecommunications Service Support Fund[;]." ~~[which is to be implemented~~  
273 ~~by January 1, 1998.]~~

274 (b) The fund shall provide a mechanism for a qualifying carrier of last resort to obtain  
275 specific, predictable, and sufficient funds to deploy and manage, for the purpose of providing  
276 service to end-users, networks capable of providing:

277 (i) access lines;

278 (ii) connections; or

279 (iii) wholesale broadband Internet access service.

280 (c) The commission shall develop, by rule made in accordance with Title 63G, Chapter  
281 3, Utah Administrative Rulemaking Act, and consistent with this section, policies and



282 procedures to govern the administration of the fund.

283 ~~[(3) The commission shall:]~~

284 ~~[(a) institute a proceeding within 30 days of the effective date of this section to~~  
285 ~~establish rules governing the administration of the fund; and]~~

286 ~~[(b) issue those rules by October 1, 1997.]~~

287 ~~[(4) The rules in Subsection (3) shall be consistent with the Federal~~  
288 ~~Telecommunications Act.]~~

289 ~~[(5) Operation of the fund shall be nondiscriminatory and competitively and~~  
290 ~~technologically neutral in the collection and distribution of funds, neither providing a~~  
291 ~~competitive advantage for, nor imposing a competitive disadvantage upon, any~~  
292 ~~telecommunications provider operating in the state.]~~

293 ~~[(6) The fund shall be designed to:]~~

294 ~~[(a) promote equitable cost recovery of basic telephone service through the imposition~~  
295 ~~of just and reasonable rates for telecommunications access and usage; and]~~

296 ~~[(b) preserve and promote universal service within the state by ensuring that customers~~  
297 ~~have access to affordable basic telephone service.]~~

298 ~~[(7) To the extent not funded by a federal universal service fund or other federal~~  
299 ~~jurisdictional revenues, the fund shall be used to defray the costs, as determined by the~~  
300 ~~commission, of any qualifying telecommunications corporation in providing public~~  
301 ~~telecommunications services to:]~~

302 ~~[(a) customers that qualify for a commission-approved lifeline program; and]~~

303 ~~[(b) customers, where]~~

304 ~~[the basic telephone service rate considered affordable by the commission in a~~  
305 ~~particular geographic area is less than the costs, as determined by the commission for that~~  
306 ~~geographic area, of basic telephone service.]~~

307 ~~[(8) The fund shall be portable among qualifying telecommunications corporations.~~

308 ~~Requirements to qualify for funds under this section shall be defined by rules established by the~~  
309 ~~commission.]~~

310 (3) Subject to this section, the commission shall use funds in the Universal Public  
311 Telecommunications Service Support Fund to:

312 (a) fund the hearing and speech impaired program described in Section 54-8b-10;

313 (b) fund a lifeline program that covers the reasonable cost to an eligible

314 telecommunications carrier, as determined by the commission, to offer lifeline service

315 consistent with the Federal Communications Commission's lifeline program for low-income  
316 consumers;

317 (c) fund, for the purpose of providing service to end-users, a rate-of-return regulated or  
318 non-rate-of-return regulated carrier of last resort's deployment and management of networks  
319 capable of providing:

320 (i) access lines;

321 (ii) connections; or

322 (iii) wholesale broadband Internet access service that is consistent with Federal  
323 Communications Commission rules; and

324 (d) fund one-time distributions from the Universal Public Telecommunications Service  
325 Support Fund for a non-rate-of-return regulated carrier of last resort's deployment and  
326 management of networks capable of providing:

327 (i) access lines;

328 (ii) connections; or

329 (iii) broadband Internet access service.

330 (4) (a) A rate-of-return regulated carrier of last resort is eligible for payment from the  
331 Universal Public Telecommunications Service Support Fund if:

332 (i) the rate-of-return regulated carrier of last resort provides the services described in  
333 Subsections (3)(c)(i) through (iii); and

334 (ii) the rate-of-return regulated carrier of last resort's reasonable costs, as determined by  
335 the commission, to provide public telecommunications service and wholesale broadband  
336 Internet access service are greater than the sum of:

337 (A) the rate-of-return regulated carrier of last resort's revenue from basic residential

338 service considered affordable by the commission;

339 (B) the rate-of-return regulated carrier of last resort's regulated revenue derived from  
340 providing other public telecommunications service;

341 (C) the rate-of-return regulated carrier of last resort's revenue from rates approved by  
342 the Federal Communications Commission for wholesale broadband Internet access service; and

343 (D) the amount the rate-of-return regulated carrier of last resort receives from federal  
344 universal service funds.

345 (b) A non-rate-of-return regulated carrier of last resort is eligible for payment from the  
346 Universal Public Telecommunications Service Support Fund for reimbursement of reasonable  
347 costs as determined by the commission if the non-rate-of-return regulated carrier meets criteria  
348 that are:

349 (i) consistent with Subsections (2) and (3); and

350 (ii) developed by the commission by rule made in accordance with Title 63G, Chapter  
351 3, Utah Administrative Rulemaking Act.

352 (5) A rate-of-return regulated carrier of last resort that qualifies for funds under this  
353 section:

354 (a) is entitled to a rate of return equal to the weighted average cost of capital rate of  
355 return prescribed by the Federal Communications Commission for rate-of-return regulated  
356 carriers; and

357 (b) may use any depreciation method allowed by the Federal Communications  
358 Commission.

359 (6) (a) The commission shall determine if a rate-of-return regulated carrier of last resort  
360 is correctly applying a depreciation method described in Subsection (5)(b).

361 (b) If the commission determines under Subsection (6)(a) that a rate-of-return regulated  
362 carrier of last resort is incorrectly applying a depreciation method or that the rate-of-return  
363 regulated carrier of last resort is not using a depreciation method allowed by the Federal  
364 Communications Commission, the commission shall issue an order that provides corrections to  
365 the rate-of-return regulated carrier of last resort's method of depreciation.

366 ~~[(9) As necessary to accomplish the purposes of this section, the fund shall provide a~~  
367 ~~mechanism for specific, predictable, and sufficient funds in addition to those provided under~~  
368 ~~the federal universal service fund.]~~

369 (7) A carrier of last resort that receives funds from the Universal Public  
370 Telecommunications Service Support Fund may only use the funds in accordance with this  
371 section within the area for which the carrier of last resort has a carrier of last resort obligation.

372 (8) Each access line provider and each connection provider shall contribute to the  
373 Universal Public Telecommunications Service Support Fund through an explicit charge  
374 assessed by the commission on the access line provider or connection provider.

375 (9) The commission shall calculate the amount of each explicit charge described in  
376 Subsection (8) using a method developed by the commission by rule made in accordance with  
377 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that:

378 (a) does not discriminate against:

379 (i) any access line or connection provider; or

380 (ii) the technology used by any access line or connection provider;

381 (b) is competitively neutral; and

382 (c) is a function of an access line or connection provider's:

383 (i) annual intrastate revenue;

384 (ii) number of access lines or connections in the state; or

385 (iii) a combination of an access line or connection provider's annual intrastate revenue  
386 and number of access lines or connections in the state.

387 (10) The commission shall develop the method described in Subsection (9) before  
388 January 1, 2018.

389 ~~[(10) (a) Subject to Subsection (10) (b):]~~

390 ~~[(i) each telecommunications corporation that provides intrastate public~~  
391 ~~telecommunication service shall contribute to the fund on an equitable and nondiscriminatory~~  
392 ~~basis;]~~

393 ~~[(ii) for purposes of funding the fund, the commission shall have the authority to~~

394 ~~require all corporations that provide intrastate telecommunication services in this state to~~  
395 ~~contribute money to the fund through explicit charges determined by the commission;]~~

396 ~~[(iii) any charge described in Subsection (10)(a)(ii) may not apply to wholesale~~  
397 ~~services, including access and interconnection; and]~~

398 ~~[(iv) charges associated with being a provider of public telecommunications service~~  
399 ~~shall be in the form of end-user surcharges applied to intrastate retail rates.]~~

400 ~~[(b) A telecommunications corporation]~~ (11) An access line or connection provider  
401 that provides mobile telecommunications service shall contribute to the [fund] Universal  
402 Public Telecommunications Service Support Fund only to the extent permitted by the Mobile  
403 Telecommunications Sourcing Act, 4 U.S.C. Sec. 116 et seq.

404 ~~[(11)]~~ (12) Nothing in this section shall be construed to enlarge or reduce the  
405 commission's jurisdiction or authority, as provided in other provisions of this title.

406 ~~[(12) Any telecommunications corporation failing to make contributions to this fund or~~  
407 ~~failing]~~

408 (13) A person that fails to make a required contribution to the fund created by this  
409 section, or that fails to comply with [the directives of the] a commission directive concerning  
410 [its] the person's books, records, or other information required by the commission to administer  
411 this section [shall be], is subject to applicable penalties.

412 ~~[(13) The commission shall have a bill prepared for the 1998 General Session of the~~  
413 ~~Legislature to place in statute as much of the regulation implemented by rule pursuant to the act~~  
414 ~~the commission believes is practicable.]~~

415 (14) Nothing in this section gives the commission the authority:

416 (a) to regulate broadband Internet access service;

417 (b) to require a carrier of last resort to provide broadband Internet access service; or

418 (c) assess a contribution in violation of the Internet Tax Freedom Act, 47 U.S.C. Sec.

419 151 note.

420 (15) (a) A facilities-based or nonfacilities-based wireless telecommunication provider  
421 is eligible for distributions from the Universal Telecommunications Service Support Fund

422 under the lifeline program described in Subsection (3)(b) for providing lifeline service that is  
423 consistent with the Federal Communications Commission's lifeline program for low-income  
424 consumers.

425 (b) Except as provided in Subsection (15)(c), the commission may impose reasonable  
426 conditions for providing a distribution to a wireless telecommunication provider under the  
427 lifeline program described in Subsection (3)(b).

428 (c) The commission may not require a wireless telecommunication provider to offer  
429 unlimited local calling to a lifeline customer as a condition of receiving a distribution under the  
430 lifeline program described in Subsection (3)(b).

431 (16) The commission shall report to the Public Utilities, Energy, and Technology  
432 Interim Committee each year before November 1 regarding:

433 (a) the contribution method described in Subsection (9);

434 (b) the amount of distributions from and contributions to the Universal Public  
435 Telecommunications Service Support Fund during the last fiscal year;

436 (c) the availability of services for which Subsection (3) permits Universal Public  
437 Telecommunications Service Support Fund funds to be used; and

438 (d) the effectiveness and efficiency of the Universal Public Telecommunications  
439 Service Support Fund.

440 Section 4. Section **63J-1-602.3** is amended to read:

441 **63J-1-602.3. List of nonlapsing funds and accounts -- Title 46 through Title 60.**

442 (1) The Utah Law Enforcement Memorial Support Restricted Account created in  
443 Section [53-1-120](#).

444 (2) Funding for the Search and Rescue Financial Assistance Program, as provided in  
445 Section [53-2a-1102](#).

446 (3) Appropriations made to the Division of Emergency Management from the State  
447 Disaster Recovery Restricted Account, as provided in Section [53-2a-603](#).

448 (4) Appropriations made to the Department of Public Safety from the Department of  
449 Public Safety Restricted Account, as provided in Section [53-3-106](#).

450 (5) Appropriations to the Motorcycle Rider Education Program, as provided in Section  
451 [53-3-905](#).

452 (6) Appropriations from the Utah Highway Patrol Aero Bureau Restricted Account  
453 created in Section [53-8-303](#).

454 (7) Appropriations from the DNA Specimen Restricted Account created in Section  
455 [53-10-407](#).

456 (8) The Canine Body Armor Restricted Account created in Section [53-16-201](#).

457 (9) The School Readiness Restricted Account created in Section [53A-1b-104](#).

458 (10) Appropriations to the State Board of Education, as provided in Section  
459 [53A-17a-105](#).

460 (11) Money received by the Utah State Office of Rehabilitation for the sale of certain  
461 products or services, as provided in Section [35A-13-202](#).

462 (12) Certain funds appropriated from the General Fund to the State Board of Regents  
463 for teacher preparation programs, as provided in Section [53B-6-104](#).

464 (13) Funding for the Medical Education Program administered by the Medical  
465 Education Council, as provided in Section [53B-24-202](#).

466 (14) A certain portion of money collected for administrative costs under the School  
467 Institutional Trust Lands Management Act, as provided under Section [53C-3-202](#).

468 [~~(15) Certain surcharges on residential and business telephone numbers imposed by the~~  
469 ~~Public Service Commission, as provided in Section [54-8b-10](#).]~~

470 [(~~16~~)] (15) Certain fines collected by the Division of Occupational and Professional  
471 Licensing for violation of unlawful or unprofessional conduct that are used for education and  
472 enforcement purposes, as provided in Section [58-17b-505](#).

473 [(~~17~~)] (16) Certain fines collected by the Division of Occupational and Professional  
474 Licensing for use in education and enforcement of the Security Personnel Licensing Act, as  
475 provided in Section [58-63-103](#).

476 [(~~18~~)] (17) Appropriations from the Relative Value Study Restricted Account created  
477 in Section [59-9-105](#).

478            [~~(19)~~] (18) The Cigarette Tax Restricted Account created in Section [59-14-204](#).

479            Section 5. **Effective date.**

480            This bill takes effect on July 1, 2017.




PUBLIC SERVICE COMMISSION OF UTAH

# ANNUAL REPORT 2019

A YEAR OF ACCOMPLISHMENTS  
JULY 1, 2018 TO JUNE 30, 2019

 Electric

 Natural Gas

 Telecommunications

 Water

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# STATE OF UTAH

Public Service Commission



Honorable Gary Herbert

Governor, State of Utah

Honorable Members of the Senate

Honorable Members of the House of Representatives

*It is a pleasure to present to you the Annual Report for fiscal year 2019 of the Public Service Commission of Utah (PSC). This report has been prepared in accordance with Utah Code Ann. §§ 67-1-2.5(5)(a) and 54-1-10, which requires the PSC to submit to you a report of its activities during the fiscal year ending June 30, 2019.*

*This annual report highlights the issues and activities the PSC has focused on during the year.*

*Pursuant to Utah Code Ann. § 67-1-2.5(5)(a), the official function and purpose of the PSC is the technical and economic regulation of Utah's public utility companies. These privately owned and government regulated companies provide electricity, natural gas, water, sewer, and telecommunications services to Utah homes and businesses. This annual report summarizes the work and actions of the PSC and the significant statute and administrative rule changes that occurred during the previous fiscal year. PSC recommendations for further statutory and rule changes include currently published rule changes addressing utility customer information and marketing, rule changes that are in development to implement the Utah Community Renewable Energy Act, and a proposed statutory change modifying one time frame for agency rehearing. All of these potential rule and statutory changes are outlined in detail on the PSC's website. As required by Utah Code Ann. § 67-1-2.5(5)(a)(iv), the PSC recommends that it should continue to exist.*

*We look forward to your continued support as we serve the citizens of Utah.*

*Respectfully submitted,*

*Thad LeVar, Commission Chair*

*David R. Clark, Commissioner*

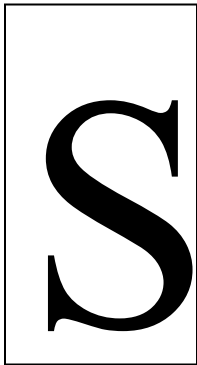
*Jordan A. White, Commissioner*

<b>Public Service Commission Personnel – June 30, 2019</b>
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<i>Chair</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Thad LeVar</i>
<i>Commissioner</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>David Clark</i>
<i>Commissioner</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Jordan White</i>
<i>PSC Secretary</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Gary Widerburg</i>
<i>Executive Staff Director</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Carol Revelt</i>
<i>Legal Counsel</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Melanie Reif</i>
<i>Legal Counsel.</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Michael Hammer</i>
<i>Utility Technical Consultant</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>John Harvey</i>
<i>Utility Technical Consultant</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Jamie Dalton</i>
<i>Utility Technical Consultant</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Eric Martinson</i>
<i>Utility Technical Consultant</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Joseph Holland</i>
<i>Lead Paralegal</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Melissa Paschal</i>
<i>Paralegal</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Fred Nass</i>
<i>Paralegal</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Faqiha Zahra</i>
<i>Paralegal</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Ashley George</i>
<i>Accounting Technician III</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Maxine Lynch</i>
<i>Telecommunications Relay Specialist (TRS)</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Jodi Goodenough</i>
<i>Equipment Delivery Specialist</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Brad Blackner</i>
<i>Equipment Delivery Specialist</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Diane Stidham</i>
<i>Equipment Delivery Specialist</i>	.	.	.	.	.	.	.	.	.	.	.	.	<i>Brey Tarbox</i>

# HISTORY

## OF THE PSC & THE REGULATORY PROCESS



ince its origin under the Public Utilities Act of 1917, the Public Service Commission of Utah (PSC) has served the citizens of Utah through technical and economic regulation of the state's public utility companies. These privately owned but government regulated companies provide telecommunications, electricity, natural gas, water, and sewer systems through which important services are delivered to Utah households and businesses.

Utility companies are certificated monopolies. With some exceptions in the telecommunications industry, each utility is the sole provider of utility service in a designated geographic area of the State.

Because there is no competition, federal and state law obligates the PSC to promote and protect the public interest by ensuring that public utility service is adequate in quality and reliability, and is available to everyone at just and reasonable prices. The prices, terms, and conditions of utility service affect the quality of the state's infrastructure.

### **Organization of the Regulatory Function in Utah Today**

Since 1983, when the legislature last reorganized Utah's public utility regulatory function, the PSC has been an independent entity with a small staff. The PSC consists of a three-member commission, each commissioner appointed by the Governor to a six-year term, an administrative secretary and clerical staff, an executive staff director and technical staff, legal staff, and paralegal staff. Currently the PSC employs seventeen full-time and three part-time employees.

The Division of Public Utilities (DPU), within the Utah Department of Commerce, performs public utility audits and investigations, helps resolve customer complaints, and enforces PSC orders. Since its 1983 reorganization, the DPU has been empowered to represent an impartially-determined, broad public interest before the PSC. The DPU employs a Director and a clerical and technical staff of approximately thirty people and receives legal assistance from the Office of the Attorney General.

Utah's utility consumer advocate was first established as the Committee of Consumer Services in 1977 by the Utah Legislature. In 2009 the Utah Legislature reorganized the Committee into the Office of Consumer Services (OCS). The OCS is staffed with five full-time professionals led by a Director who is appointed by the Governor, with the concurrence of the Committee and consent of the Senate, for a term of six years. The Director, on behalf of the OCS, represents the interests of residential and small commercial consumers. The Committee of Consumer Services is a nine-member board that advises the OCS regarding utility rate changes, policy objectives, and other regulatory actions that impact residential, small commercial, and irrigator customers.

## **How the PSC Works**

As a regulatory decision-making body, the PSC exercises a delegated legislative power. Each regulatory decision is reached quasi-judicially – the decision must be based on evidence of record gathered in open public hearings in docketed proceedings. All dockets are scheduled to protect the due process rights of parties.

In the course of a hearing, parties may include the subject public utility, the DPU, and the OCS. Parties present the sworn testimony and evidence of expert witnesses who are subject to cross-examination.

In cases where hundreds of millions of dollars may be at stake or important issues of regulatory policy arise, intervenors may participate, representing interests as diverse as low-income customers, environmental groups, and large industrial customers. Regulatory decisions may distribute outcomes as gains or losses to particular parties. Cases raise issues of law, economics, accounting, finance, engineering, and service quality.

The PSC's task is reaching decisions that balance the interests of concerned parties in pursuit of outcomes that protect and promote the overall public interest. These decisions can be reviewed by the Utah Supreme Court.

During fiscal year 2019, there were 352 active and opened dockets. The PSC regulated 178 utility companies including gas, electric, telecommunications, water, sewer, and railroads, and approximately \$3.5 billion intrastate revenue was reported in the 2018 calendar year.

## PUBLIC SERVICE COMMISSION OF UTAH COMMISSIONERS

<u>Years of Service</u>	<u>Name</u>	<u>Residence</u>
1917-21	Henry H. Blood	Kaysville
1917-23	Joshua Greenwood	Nephi
1917-25	Warren Stoutner	Salt Lake City
1921-23	Abbot R. Heywood	Ogden
1923-37	Elmer E. Corfman	Salt Lake City
1923-37	Thomas E. McKay	Huntsville
1925-33	George F. McGonagle	Salt Lake City
1933-35	Thomas H. Humphreys	Logan
1935-37	Joseph S. Snow	St. George
1937-41	Ward C. Holbrook	Clearfield
1937-41	Otto A. Wiesley	Salt Lake City
1937-40	Walter K. Granger	Cedar City
1941-43	George S. Ballif	Provo
1941-49	Oscar W. Carlson	Salt Lake City
1941-51	Donald Hacking	Price
1943-52	W.R. McEntire	Huntsville
1949-73	Hal S. Bennett	Salt Lake City
1951-56	Stewart M. Hanson	Salt Lake City
1952-72	Donald Hacking	Price
1956-57	Rue L. Clegg	Salt Lake City
1957-63	Jesse R. Budge	Salt Lake City
1963-65	Raymond W. Gee	Salt Lake City
1965-67	D. Frank Wilkins	Salt Lake City
1967-69	Donald T. Adams	Monticello
1969-72	John T. Vernieu	Richfield
1972-75	Eugene S. Lambert	Salt Lake City
1972-76	Frank S. Warner	Ogden
1973-79	Olof E. Zundel	Brigham City
1975-76	James N. Kimball	Salt Lake City
1976-77	Joseph C. Folley	Ogden
1976-82	Milly O. Bernard	Salt Lake City
1977-80	Kenneth Rigtrup	Salt Lake City
1979-85	David R. Irvine	Bountiful
1980-89	Brent H. Cameron	Salt Lake City
1982-95	James M. Byrne	Salt Lake City
1985-92	Brian T. Stewart	Farmington
1989-91	Stephen F. Mecham	Salt Lake City
1991-95	Stephen C. Hewlett	Salt Lake City
1992-2003	Stephen F. Mecham	Salt Lake City
1995-2005	Constance B. White	Salt Lake City
1995-2001	Clark D. Jones	Salt Lake City
2001-2012	Richard M. Campbell	Riverton
2003-2012	Theodore Boyer	Salt Lake City
2005-2015	Ronald Allen	Stansbury
2013-Present	Thad LeVar	Tooele
2013-Present	David Clark	Highland
2015-Present	Jordan White	Bountiful

## PUBLIC SERVICE COMMISSION OF UTAH SECRETARIES

<u>Yrs. of Service</u>	<u>Name</u>	<u>Residence</u>
1917-23	Thomas E. Banning	Salt Lake City
1923-35	Frank L. Ostler	Salt Lake City
1935-36	Theodore E. Thain	Logan
1936-38	Wendell D. Larson	Salt Lake City
1938-40	J. Allan Crockett	Salt Lake City
1941-43	Charles A. Esser	Salt Lake City
1943-44	Theodore E. Thain	Logan
1945-48	Royal Whitlock	Gunnison
1949-49	C.J. Stringham	Salt Lake City
1949-56	Frank A. Yeamans	Salt Lake City
1956-59	C.R. Openshaw, Jr.	Salt Lake City
1959-60	Frank A. Yeamans	Salt Lake City
1960-70	C.R. Openshaw, Jr.	Salt Lake City
1970-71	Maurice P. Greffoz	Salt Lake City
1971-72	Eugene S. Lambert	Salt Lake City
1972-77	Ronald E. Casper	Salt Lake City
1977-79	Victor N. Gibb	Orem
1979-81	David L. Stott	Salt Lake City
1981-83	Jean Mowrey	Salt Lake City
1983-86	Georgia Peterson	Salt Lake City
1986-91	Stephen C. Hewlett	Salt Lake City
1991-2011	Julie P. Orchard	Bountiful
2012-Present	Gary L. Widerburg	Ogden



# Electric Utilities Overview

The principal electric utility regulated by the PSC is PacifiCorp, who does business in Utah as Rocky Mountain Power. PacifiCorp is an investor-owned utility serving approximately 928,732 residential, commercial, and industrial customers in Utah. PacifiCorp also serves retail customers in five other Western states and wholesale customers throughout the west. PacifiCorp provides approximately 80 percent of the electricity to Utah homes and businesses. Other Utah customers are served either by municipal utilities, which are not regulated by the PSC, or by rural electric cooperatives or electric service districts, which are subject to minimal state regulation.

In fiscal year 2019, the PSC approved four rate changes, which resulted in an approximate 3 percent increase in the annual bill of a typical residential customer. An average residential customer uses 700 kilowatt-hours of electricity per month. The PSC also approved a one-time energy efficiency-related refund.

## **Impacts of Federal Tax Legislation**

In April 2018, the PSC issued an order approving an ongoing annual rate reduction of \$61 million associated with the decrease of the corporate income tax rate and the repeal of the domestic production activities deductions resulting from federal tax reform legislation. In 2018, the \$61 million was refunded to customers over an 8-month period as reflected in Electric Service Schedule No. 197, Federal Tax Act Adjustment (Schedule 197), effective May 1, 2018. This rate change resulted in a 5.17 percent decrease in a typical residential customer's annual bill.

In November 2018, the PSC approved a settlement stipulation where parties agreed to maintain the previously approved \$61 million annual rate reduction until the effective date of rates set in PacifiCorp's next general rate case (GRC). In addition, parties settled issues relating to certain regulatory liabilities and excess deferred income taxes. Following approval of the stipulation, PacifiCorp filed, and the PSC approved, proposed changes to Schedule 197 to refund the \$61 million over 12 months rather than 8 months, as previously approved. This rate change was effective January 1, 2019 and resulted in an approximate 1.82 percent increase in a typical residential customer's annual bill.

## **Demand Side Management (DSM)**

In November 2018, PacifiCorp proposed revising Electric Service Schedule No. 193, Demand Side Management (DSM) Cost Adjustment, to reflect a \$2.1 million reduction in its DSM Cost Adjustment surcharge. PacifiCorp also proposed issuing a one-time DSM-related refund of \$14.5 million under a new schedule, Electric Service Schedule No. 194, DSM Credit. The changes

were implemented to bring the variance between DSM collections and expenditures to an acceptable level. This request was approved by the PSC with the surcharge reduction effective January 1, 2018 and the one-time refund effective February 1, 2019. The surcharge adjustment resulted in an approximate 0.12 percent decrease in a typical residential customer's annual bill.

### **Energy Balancing Account (EBA)**

In November 2018, the DPU filed its final audit report addressing PacifiCorp's EBA for calendar year 2017. The DPU proposed approximately \$900,000 in adjustments to the 2017 EBA. In March 2019, the PSC approved a \$0.2 million reduction to the \$2.8 deferred calendar year 2017 EBA costs and ordered that this adjustment be included in PacifiCorp's 2019 EBA filing. The PSC also approved the interim rates set in April 2018 as final.

In March 2019, PacifiCorp filed its 2019 EBA application requesting authority to increase EBA rates to recover \$23.9 million in total deferred EBA costs incurred in calendar year 2018, on an interim basis. In April 2019, the PSC approved PacifiCorp's application. This interim rate change resulted in an approximate 0.9 percent increase in a typical residential customer's annual bill.

### **Renewable Energy Credit (REC) Balancing Account**

In May 2019, the PSC approved a \$0.335 million interim rate increase in PacifiCorp's recovery of revenues from Electric Service Schedule No. 98, REC Revenue Adjustment balancing account, effective June 1, 2019. This rate change resulted in a 0.03 percent increase in a typical residential customer's annual bill.

### **DSM and Electric Energy Conservation**

In 2018, PacifiCorp spent approximately \$49.1 million on energy efficiency and load management programs. These programs help reduce load and improve energy efficiency in new and existing homes and non-residential buildings and processes, encourage the purchase of energy-efficient appliances, and directly control air conditioners and irrigation pumps. PacifiCorp reported that in 2018 its load management programs saved a maximum of 210 megawatts (MW) of power during a single load-reduction event. In addition, PacifiCorp reported its energy efficiency programs saved 284,684,283 megawatt hours (MWh) of energy.

### **PacifiCorp's Sustainable Transportation & Energy Plan Act Initiatives**

In March 2016, the Utah Legislature enacted Senate Bill 115, Sustainable Transportation and Energy Plan Act (STEP). Among other things, STEP establishes a 5-year pilot program authorizing PacifiCorp to allocate, on average, \$10 million annually, subject to PSC approval, for the implementation of programs to develop solar resources, improve air quality, expand electric vehicle infrastructure, and to evaluate clean coal technologies, battery storage, and other emerging technologies.

On November 13, 2018, PacifiCorp requested permission to modify the previously approved budgets for certain STEP projects. Within the Clean Coal Research area, certain projects were canceled and others expanded. Specifically, PacifiCorp requested to transfer funds from the Alternative NOx Project to the Co-Firing Test of Woody-Waste Project and a test of Cryogenic Carbon Capture Technology. PacifiCorp also proposed to alter the individual project spending limit within the Commercial Line Extension program. Further, PacifiCorp requested an expansion of the Solar and Storage Technology Program. On February 6, 2019, the PSC approved the proposed changes.

In March 2019, PacifiCorp requested authorization to implement three additional STEP programs, specifically: the Power Balance and Demand Response to Optimize Charging at Intermodal Hub Project, a research effort to adaptively manage power flow between the grid and various electric vehicle charging needs (approximately \$2 million); the Wasatch Development Partnership Project for Battery Demand Response, which provides for the installation of individual storage batteries in each unit of a 600 unit multi-family development to be constructed (approximately \$3.27 million); and the Advanced Resiliency Management System Project, providing for the installation of automated meter reading facilities, communication equipment, and line sensor technology on distribution circuits connecting critical customers such as hospitals, trauma centers, and police and fire dispatch to enable real-time communication with PacifiCorp's control center (\$16.52 million). In June 2019, the PSC approved PacifiCorp's application and adopted reporting requirements.

### **Renewable Resource Request for Proposal**

In March 2018, the Utah Legislature passed House Bill 261 – Renewable Energy Amendments (HB 261) which enacted Utah Code Ann. § 54-17-807, Solar photovoltaic or thermal solar energy facilities. Among other things, HB 261, allows utilities under certain circumstances to acquire solar resources to serve customers using rate recovery based on a competitive market price, subject to certain conditions. For PacifiCorp, this includes customers taking service under Electric Service Schedule No. 32, Service from Renewable Energy Facilities and Electric Service Schedule No. 34, Renewable Energy Purchases for Qualified Customers – 5,000 kW and Over. HB 261 also required the PSC to adopt rules related to its provisions.

In October 2018, based on input from parties, the PSC filed a new proposed rule R746-450, Procedural and Informational Requirements for Solar Resource Solicitations and Acquisitions with the Office of Administrative Rules. The new rule was made effective December 24, 2018.

In December 2018, pursuant to Utah Code Ann. § 54-17-807 and Utah Administrative Code (UAC) R746-450, PacifiCorp filed an application for approval of solicitation process ("Application") with the PSC requesting approval of its 2019 Renewable Resource Utah Request for Proposals solicitation process ("2019R RFP"). Under this 2019R RFP, PacifiCorp seeks up to approximately 205,000 MWh per year, for up to 25 years, of new solar photovoltaic, wind, or geothermal resources that can achieve commercial operation between June 30, 2020 and December 31, 2021.

In March 2019, the PSC issued an order determining that the solicitation process PacifiCorp proposed in the Application complied with Utah Code Ann. § 54-17-807 and UAC R746-450. Accordingly, the PSC approved PacifiCorp's Application.

### **Planning For Least Cost Reliable Power, Integrated Resource Plan (IRP)**

The PSC requires PacifiCorp to file, on a biennial basis, an IRP describing its plan to supply and manage growing demand for electricity in its six-state service territory for the next 20 years. During the intervening year, PacifiCorp files an update to its most recent IRP. Citing ongoing economic analysis of its coal units that will inform subsequent portfolio development, in January 2019, PacifiCorp filed a request for an extension of the 2019 IRP filing from April 1, 2019 to no later than August 1, 2019. The PSC approved PacifiCorp's requested extension on March 12, 2019.

### **PSC-Related 2019 Legislative and Rule Changes**

During the 2019 General Session, the Utah Legislature passed:

House Bill 411: This bill enacts the Community Renewable Energy Act in Utah Code Ann. §§ 54-17-901 to -909, Community Renewable Energy Act; defines terms and program requirements under the act; outlines the role and rulemaking authority of the PSC in approving a community renewable energy program under the act; establishes and clarifies options for customer participation and nonparticipation in programs under the act; provides an initial opt-out period for a participating customer to elect to leave the community renewable energy program without penalty; and establishes procedures concerning rates, customer billing, and renewable energy resource acquisition under the act.

In response to HB 411, on April 3, 2019, the PSC opened Docket No. 19-R314-01, Proposed Rulemaking Concerning Utah Code Ann. §§ 54-17-901 to -909, Community Renewable Energy Act. Rule development is ongoing and will continue into FY 2020.

House Bill 433: This bill relates to the Utah Inland Port Authority and, among many things, authorizes the PSC to provide for a renewable energy tariff for certain customers within authority jurisdictional land.

Senate Bill 150: This bill amends Utah Code Ann. § 54-7-13.5, Energy Balancing Accounts, and among other things, repeals the sunset date for an electrical corporation's energy balancing account, allowing a corporation to permanently recover 100% of its prudently incurred net power costs.

Senate Bill 206: This bill amends Utah Code Ann. § 54-8-3(4) regarding the definition of "electric facilities" in relation to cities of the first class and nominal voltages.

### **Rule Changes**

- On October 12, 2018, the PSC initiated Docket No. 18-R460-01, Proposed Rulemaking Concerning Utility/Customer Relations regarding Third-Party Solicitations. In May 2019,

parties filed a consensus rule addressing the PSC-identified issues and in June 2019, the PSC filed a proposed new rule with the Office of Administrative Rules. The earliest possible effective date for the new rule is August 7, 2019.

- On March 26, 2019, the PSC initiated Docket No. 19-R310-01, Proposed Amendment to R746-310, Uniform Rules Governing Electricity Service by Electric Utilities. This rulemaking is in response to PacifiCorp's proposed changes to when and how billing adjustments are processed, adding transparency for customers to better understand the timelines and circumstances of an adjustment to their bills. This rule change was made effective May 22, 2019.

### **Other Activities**

During FY 2019, the PSC reviewed two electric cooperative tariff filings for compliance with Utah Code Ann. § 54-7-12(7), evaluated two electric cooperative financing agreements (one filed by multiple cooperatives), and two electric cooperative requests for out-of-state distribution electric cooperative exemption from PSC jurisdiction.



## ELECTRIC TECHNICAL CONFERENCES

The PSC sponsored the following technical conferences during fiscal year 2019:

[Docket No. 16-035-36](#): *In the Matter of the Application of Rocky Mountain Power to Implement Programs Authorized by the Sustainable Transportation and Energy Plan Act*

- April 2, 2019: PacifiCorp presented information and addressed questions pertaining to its proposal to implement the following new projects under STEP: (1) the power Balance and Demand Response to Optimize Charging at Intermodal Hub Project; (2) the Wasatch Development Partnership Project for Battery Demand Response; and (3) the Advanced 2 Resiliency Management System Project.

[Docket No. 17-035-69](#): *Investigation of Revenue Requirement Impacts of the New Federal Tax Legislation Titled: "An act to provide for reconciliation pursuant to titles II and V of the concurrent resolution of the budget for fiscal year 2018"*

- July 18, 2018: PacifiCorp addressed questions submitted by parties as well as provided information to PSC staff and interested parties concerning the Tax Cuts and Job Act.

[Docket No. 18-035-17](#): *Rocky Mountain Power's Service Quality Review Report*

- January 8, 2019: PacifiCorp presented information and answered questions regarding its emergency response planning for fire risks, including the impacts of pro-active de-energization.
- January 9, 2019: PacifiCorp presented information and answered questions regarding its Advanced Metering Infrastructure (AMI) efforts.

[Docket No. 18-035-36](#): *Application of Rocky Mountain Power for Authority to Change its Depreciation Rates Effective January 1, 2021*

- November 6, 2018: PacifiCorp presented information to PSC staff and interested parties concerning its request to change depreciation rates.

[Docket Nos. 18-035-40](#) and [18-R460-01](#): *Proposed Rulemaking Concerning Utility/Customer Relations regarding Third-Party Solicitations*

- January 17, 2019: PacifiCorp and other interested parties presented recommendations regarding a process for drafting of rules concerning utility/customer relations regarding third-party solicitations.

[Docket No. 18-R450-01](#): *Proposed Rulemaking Concerning Utah Code Ann. § 54-17-807, Solar Photovoltaic or Thermal Solar Energy Facilities, Enacted May 8, 2018*

- July 20, 2018: The purpose of the technical conference/workshop was to discuss the draft rule language and comments filed in this docket with the goal of achieving consensus on draft rule language.

## **ELECTRIC DOCKETS**

[Docket No. 11-035-104](#) – *In the Matter of the Investigation into Extending and Expanding the Solar Incentive Program and Possible Development of an Ongoing Program*

[Docket No. 13-035-02](#) – *In the Matter of the Application of Rocky Mountain Power for Authority to Change its Depreciation Rates Effective January 1, 2014*

[Docket No. 14-035-71](#) – *In the Matter of Rocky Mountain Power’s Annual Report of the Results from the 2013 Program Year for the Solar Photovoltaic Incentive Program Offered through Schedule 107*

[Docket No. 14-035-114](#) – *In the Matter of the Investigation of the Costs and Benefits of PacifiCorp’s Net Metering Program*

[Docket No. 16-035-27](#) – *In the Matter of the Application of Rocky Mountain Power for Approval of a Renewable Energy Services Contract between Rocky Mountain Power and Facebook, Inc. Pursuant to Tariff Electric Service Schedule 34*

[Docket No. 16-035-33](#) – *In the Matter of: the Application of Rocky Mountain Power for Approval of an Energy Service Contract between Rocky Mountain Power and Kennecott Utah Copper, LLC*

[Docket No. 16-035-36](#) – *In the Matter of the Application of Rocky Mountain Power to Implement Programs Authorized by the Sustainable Transportation and Energy Plan Act*

[Docket No. 16-035-T09](#) – *In the Matter of Rocky Mountain Power’s Proposed Electric Service Schedule No. 34, Renewable Energy Tariff*

[Docket No. 17-035-16](#) – *PacifiCorp’s 2017 Integrated Resource Plan*

[Docket No. 17-035-24](#) – *Low Income Lifeline Program Reports 2017*

[Docket No. 17-035-40](#) – *Application of Rocky Mountain Power for Approval of a Significant Energy Resource Decision and Voluntary Request for Approval of Resource Decision*

[Docket No. 17-035-61](#) – *Application of Rocky Mountain Power to Establish Export Credits for Customer Generated Electricity*

[Docket No. 17-035-62](#) – *Formal Complaint of Darlene Schmidt against Rocky Mountain Power*

[Docket No. 17-035-68](#) – *Application of Rocky Mountain Power for Approval of Power Purchase Agreement between PacifiCorp and Monticello Wind Farm, LLC*

[Docket No. 17-035-69](#) – *Investigation of Revenue Requirement Impacts of the New Federal Tax Legislation Titled: “An act to provide for reconciliation pursuant to titles II and V of the concurrent resolution of the budget for fiscal year 2018”*

[Docket No. 17-035-71](#) – *Application of Rocky Mountain Power for Approval of Electric Service Agreement and Operating*

*Reserves Agreement between PacifiCorp and US Magnesium, LLC*

[Docket No. 18-022-01](#) – *Application of Deseret Generation & Transmission Cooperative, Bridger Valley Electric Association, Dixie-Escalante Rural Electric Association, Flowell Electric Association, Garkane Power Association, Moon Lake Electric Association, and Mount Wheeler Power, Inc. for Approval to Issue Securities*

[Docket No. 18-027-02](#) – *Application of Deseret Generation & Transmission Cooperative, Bridger Valley Electric Association, Dixie-Escalante Rural Electric Association, Flowell Electric Association, Garkane Power Association, Moon Lake Electric Association, and Mount Wheeler Power, Inc. for Approval to Issue Securities*

[Docket No. 18-028-01](#) – *Application of Deseret Generation & Transmission Cooperative, Bridger Valley Electric Association, Dixie-Escalante Rural Electric Association, Flowell Electric Association, Garkane Power Association, Moon Lake Electric Association, and Mount Wheeler Power, Inc. for Approval to Issue Securities*

[Docket No. 18-030-02](#) – *Application of Deseret Generation & Transmission Cooperative, Bridger Valley Electric Association, Dixie-Escalante Rural Electric Association, Flowell Electric Association, Garkane Power Association, Moon Lake Electric Association, and Mount Wheeler Power, Inc. for Approval to Issue Securities*

[Docket No. 18-031-01](#) – *Application of Deseret Generation & Transmission Cooperative, Bridger Valley Electric Association, Dixie-Escalante Rural Electric*

*Association, Flowell Electric Association, Garkane Power Association, Moon Lake Electric Association, and Mount Wheeler Power, Inc. for Approval to Issue Securities*

[Docket No. 18-035-01](#) – *Application of Rocky Mountain Power to Increase the Deferred EBA Rate through the Energy Balancing Account Mechanism*

[Docket No. 18-035-04](#) – *PacifiCorp’s Semi-Annual Hedging Report*

[Docket No. 18-035-06](#) – *Application of Rocky Mountain Power for Authority to Revise Rates in Tariff Schedule 98, Renewable Energy Credits Balancing Account*

[Docket No. 18-035-09](#) – *PacifiCorp’s Financial Reports 2018*

[Docket No. 18-035-10](#) – *Rocky Mountain Power’s 2017 Annual Report of the Blue Sky Program*

[Docket No. 18-035-15](#) – *Low Income Lifeline Program Reports 2018*

[Docket No. 18-035-16](#) – *Rocky Mountain Power’s First Annual Sustainable Transportation and Energy Plan Act Program Status Report*

[Docket No. 18-035-17](#) – *Rocky Mountain Power’s Service Quality Review Report*

[Docket No. 18-035-19](#) – *Rocky Mountain Power’s Demand-Side Management 2017 Annual Energy Efficiency and Peak Load Reduction Report*



[Docket No. 18-035-21](#) – *Application of Rocky Mountain Power for Approval of Solicitation Process for Solar Photovoltaic and Thermal Resources*

[Docket No. 18-035-22](#) – *PacifiCorp d/b/a Rocky Mountain Power’s Affiliated Interest Report for Calendar Year 2017*

[Docket No. 18-035-23](#) – *Rocky Mountain Power’s 2018 Avoided Cost Input Changes Quarterly Compliance Filing*

[Docket No. 18-035-24](#) – *Rocky Mountain Power’s Solar Photovoltaic Incentive Program (Schedule 107) 2018 Annual Report*

[Docket No. 18-035-25](#) – *Rocky Mountain Power’s Annual Cost of Service Study – 2017*

[Docket No. 18-035-26](#) – *Request of Monticello Wind Farm, LLC. for Findings and Conclusions Regarding the Existence of a Legally Enforceable Obligation as Regards PacifiCorp dba Rocky Mountain Power*

[Docket No. 18-035-27](#) – *Rocky Mountain Power’s Semi-Annual Demand-Side Management (DSM) Forecast Reports*

[Docket No. 18-035-28](#) – *Rocky Mountain Power’s Customer Owned Generation and Net Metering Report and Attachment A for the Period April 1, 2017 through March 31, 2018*

[Docket No. 18-035-29](#) – *Formal Complaint of Kristy Buchanan against Rocky Mountain Power*

[Docket No. 18-035-30](#) – *Application of Rocky Mountain Power for Approval of its Amendment to Agreement for Electric Service to Additional Customers with Nephi City, Utah*

[Docket No. 18-035-31](#) – *Application of Rocky Mountain Power for Approval of its Amendment to Agreement for Electric Service to Additional Customers with City of Blanding, Utah*

[Docket No. 18-035-32](#) – *Formal Complaint of Mark Barton against Rocky Mountain Power*

[Docket No. 18-035-33](#) – *Application of Rocky Mountain Power for Approval of its Amendment to Agreement for Electric Service to Additional Customers with Monroe City, Utah*

[Docket No. 18-035-34](#) – *Application of Rocky Mountain Power for Approval of its Amendment to Agreement for Electric Service to Additional Customers with Manti City, Utah*

[Docket No. 18-035-35](#) – *Rocky Mountain Power’s Notice of Renewable Resources in 2019*

[Docket No. 18-035-36](#) – *Application of Rocky Mountain Power for Authority to Change its Depreciation Rates Effective January 1, 2021*

[Docket No. 18-035-37](#) – *Application of Rocky Mountain Power for Approval of its Amendment to Agreement for Electric Service to Additional Customers with Hyrum City, Utah*

[Docket No. 18-035-38](#) – *Application of Rocky Mountain Power for Approval of Power Purchase Agreement between PacifiCorp and Tesoro Refining & Marketing Company LLC*

[Docket No. 18-035-39](#) – *Investigation Re: Expiring Excess Generation Credits under Schedule 135*

[Docket No. 18-035-40](#) – *Rocky Mountain Power – Proposed Rulemaking Concerning Utility/Customer Relations regarding Third-Party Solicitations*

[Docket No. 18-035-41](#) – *Application of Rocky Mountain Power for Approval of the Power Purchase Agreement between PacifiCorp and Kennecott Utah Copper LLC – Refinery*

[Docket No. 18-035-42](#) – *Application of Rocky Mountain Power for Approval of the Power Purchase Agreement between PacifiCorp and Kennecott Utah Copper LLC – Smelter*

[Docket No. 18-035-43](#) – *Application of Rocky Mountain Power for Approval of its Amendment to Agreement for Electric Service to Additional Customers with Oak City, Utah*

[Docket No. 18-035-44](#) – *Application of Rocky Mountain Power for Approval of its Amendment to Agreement for Electric Service to Additional Customers with Monroe City, Utah*

[Docket No. 18-035-45](#) – *Request of Rocky Mountain Power for Approval of its Tenth-Year Strategic Communications and*

*Outreach Action Plan and Budget for Demand Side Management*

[Docket No. 18-035-46](#) – *Application of Rocky Mountain Power for Approval of its Amendment to Agreement for Electric Service to Additional Customers with City of Blanding, Utah*

[Docket No. 18-035-47](#) – *Application of Rocky Mountain Power for Approval of Solicitation Process for Solar Photovoltaic and Thermal Resources*

[Docket No. 18-035-48](#) – *Application of Rocky Mountain Power for an Accounting Order for Settlement Charges Related to its Pension Plans*

[Docket No. 18-035-T04](#) – *Rocky Mountain Power’s Proposed Tariff Revisions to Electric Service Regulation Nos. 4 (Supply and Use of Service), 5 (Customer’s Installation), 7 (Metering), 9 (Deposits), 10 (Termination of Service and Deferred Payment Agreement), 12 (Line Extensions), and Electric Service Schedule No. 300 (Regulation Charges)*

[Docket No. 18-035-T05](#) – *Rocky Mountain Power’s Proposed Tariff Revisions to Electric Service Schedule No. 193 (Demand Side Management Cost Adjustment) and Proposed Electric Service Schedule No. 194 (Demand Side Management Credit)*

[Docket No. 18-035-T06](#) – *Rocky Mountain Power’s Proposed Tariff Revisions to Electric Service Schedule No. 197 (Federal Tax Act Adjustment) in Compliance with the Public Service Commission’s Order Approving Settlement Stipulation in Docket No. 17-035-69, issued November 9, 2018*

[Docket No. 18-066-02](#) – *Application of Deseret Generation & Transmission Cooperative, Bridger Valley Electric Association, Dixie-Escalante Rural Electric Association, Flowell Electric Association, Garkane Power Association, Moon Lake Electric Association, and Mount Wheeler Power, Inc. for Approval to Issue Securities*

[Docket No. 18-066-T02](#) – *Dixie Power’s Proposed Tariff Revisions*

[Docket No. 18-506-01](#) – *Application of Deseret Generation & Transmission Cooperative, Bridger Valley Electric Association, Dixie-Escalante Rural Electric Association, Flowell Electric Association, Garkane Power Association, Moon Lake Electric Association, and Mount Wheeler Power, Inc. for Approval to Issue Securities*

[Docket No. 18-999-01](#) – *Miscellaneous Correspondence and Reports Regarding Electric Utility Services; 2018*

[Docket No. 18-999-14](#) – *Miscellaneous Electric Correspondence for 2018*

[Docket No. 18-R450-01](#) – *Proposed Rulemaking Concerning Utah Code Ann. § 54-17-807, Solar Photovoltaic or Thermal Solar Energy Facilities, Enacted May 8, 2018*

[Docket No. 19-025-01](#) – *Formal Complaint of Joseph Anthony Musumeci against Empire Electric Association, Inc.*

[Docket No. 19-027-T01](#) – *Flowell Electric Association, Inc.’s Proposed Tariff Revisions*

[Docket No. 19-030-01](#) – *Formal Complaint of Robert Ducey against Moon Lake Electric Association, Inc.*

[Docket No. 19-030-02](#) – *Formal Complaint of Virginia Keel against Moon Lake Electric Association, Inc.*

[Docket No. 19-031-01](#) – *Mt. Wheeler Power, Inc.’s Request for Out-of-State Distribution Electric Cooperative Exemption from Commission Jurisdiction*

[Docket No. 19-035-01](#) – *Application of Rocky Mountain Power to Increase the Deferred EBA Rate through the Energy Balancing Account Mechanism*

[Docket No. 19-035-02](#) – *PacifiCorp’s 2019 Integrated Resource Plan*

[Docket No. 19-035-03](#) – *PacifiCorp’s Semi-Annual Hedging Report*

[Docket No. 19-035-04](#) – *Application of Rocky Mountain Power for Approval of the Pole Attachment Agreement for Small Cell and Wi-Fi Antennas between Rocky Mountain Power and New Cingular Wireless PCS LLC*

[Docket No. 19-035-05](#) – *Formal Complaint of Sundial Lodge Homeowners Association against Rocky Mountain Power*

[Docket No. 19-035-06](#) – *Application of Rocky Mountain Power for Approval of its Amendment to Agreement for Electric Service to Additional Customers with City of Blanding, Utah*

[Docket No. 19-035-07](#) – *Division of Public Utilities’ Audit of PacifiCorp’s 2018 Fuel Inventory Policies and Practices*

[Docket No. 19-035-08](#) – *PacifiCorp’s Financial Reports 2019*

[Docket No. 19-035-09](#) – *Application of Rocky Mountain Power for Approval of the Master Electric Service Agreement between PacifiCorp and Utah Refractories Corporation*

[Docket No. 19-035-10](#) – *Formal Complaint of Community Advocacy for Safety and Public Rights against Rocky Mountain Power*

[Docket No. 19-035-11](#) – *Application of Rocky Mountain Power for Authority to Revise Rates in Tariff Schedule 98, Renewable Energy Credits Balancing Account*

[Docket No. 19-035-12](#) – *Application of Rocky Mountain Power for Approval of its Amendment to Agreement for Electric Service to Additional Customers with Hurricane City, Utah*

[Docket No. 19-035-13](#) – *Application of Rocky Mountain Power for Approval of its Amendment to Agreement for Electric Service to Additional Customers with Monroe City, Utah*

[Docket No. 19-035-14](#) – *Rocky Mountain Power’s 2018 Annual Report of the Blue Sky Program*

[Docket No. 19-035-15](#) – *Rocky Mountain Power’s 2018 Annual Report of the Subscriber Solar Program*

[Docket No. 19-035-16](#) – *Low Income Lifeline Program Reports 2019*

[Docket No. 19-035-17](#) – *Rocky Mountain Power’s Second Annual Sustainable Transportation and Energy Plan Act (“STEP”) Program Status Report*

[Docket No. 19-035-18](#) – *Rocky Mountain Power’s 2019 Avoided Cost Input Changes Quarterly Compliance Filing*

[Docket No. 19-035-19](#) – *Rocky Mountain Power’s Service Quality Review Report*

[Docket No. 19-035-20](#) – *Application of Rocky Mountain Power for Approval of the Non-Generation and Renewable Energy Credit Supply Agreement between PacifiCorp and Kennecott Utah Copper LLC*

[Docket No. 19-035-21](#) – *Request of Rocky Mountain Power for Major Event Exclusion for the Weather-Related Events that Occurred on March 28-31, 2019*

[Docket No. 19-035-22](#) – *Rocky Mountain Power’s Demand-Side Management 2018 Annual Energy Efficiency and Peak Load Reduction Report*

[Docket No. 19-035-23](#) – *Application of Rocky Mountain Power for Approval of its Amendment to Agreement for Electric Service to Additional Customers with the City of Blanding, Utah*

[Docket No. 19-035-24](#) – *PacifiCorp d/b/a Rocky Mountain Power’s Affiliated Interest Report for Calendar Year 2018*

[Docket No. 19-035-25](#) – *Rocky Mountain Power’s Solar Photovoltaic Incentive Program (Schedule 107) 2019 Annual Report*

[Docket No. 19-035-26](#) – *Formal Complaint of Frankie Baker against Rocky Mountain Power*

[Docket No. 19-035-27](#) – *Rocky Mountain Power’s Annual Cost of Service Study – 2018*

[Docket No. 19-035-T01](#) – *Rocky Mountain Power’s Proposed Tariff Revisions to Electric Service Schedule No. 140, Non-Residential Energy Efficiency*

[Docket No. 19-035-T02](#) – *Rocky Mountain Power’s Proposed Tariff Revisions to Electric Service Regulation Nos. 7 (Metering) and 8 (Billings)*

[Docket No. 19-035-T03](#) – *Rocky Mountain Power’s Proposed Tariff Revisions to Electric Service Schedule No. 300, Regulation Charges*

[Docket No. 19-035-T04](#) – *Rocky Mountain Power’s Proposed Tariff Revisions to Electric Service Schedule No. 118, Low Income Weatherization*

[Docket No. 19-035-T05](#) – *Rocky Mountain Power’s Proposed Tariff Revisions to Electric Service Schedule No. 114, Air Conditioner Peak Management Program (Cool Keeper Program)*

[Docket No. 19-035-T06](#) – *Application of Rocky Mountain Power for Approval of an Indoor Agricultural Lighting Tariff, Electric Service Schedule No. 22*

[Docket No. 19-035-T07](#) – *Rocky Mountain Power’s Proposed Tariff Revisions to Electric Service Schedule No. 37, Avoided Cost Purchases from Qualifying Facilities*

[Docket No. 19-035-T08](#) – *Rocky Mountain Power’s Proposed Changes to Schedule 73, Subscriber Solar Program Rider Optional*

[Docket No. 19-035-T09](#) – *Rocky Mountain Power’s Proposed Tariff Revisions to Electric Service Schedule No. 135, Net Metering Service*

[Docket No. 19-066-01](#) – *Application of Dixie-Escalante Rural Electric Association, Inc. for Authority to Issue Securities in the Form of a Loan Agreement and Secured Promissory Note*

[Docket No. 19-066-T01](#) – *Dixie Power’s Proposed Tariff Revisions*

[Docket No. 19-999-01](#) – *Miscellaneous Correspondence and Reports Regarding Electric Utility Services; 2019*

[Docket No. 19-R310-01](#) – *Proposed Amendment to R746-310, Uniform Rules Governing Electricity Service by Electric Utilities*

[Docket No. 19-R314-01](#) – *Proposed Rulemaking Concerning Utah Code Ann. §§ 54-17-901 to -909, Community Renewable Energy Act*

# Electric Utility Companies

## INVESTOR OWNED

### **PacifiCorp**

825 NE Multnomah Street, Ste. 2000  
Portland, OR 97232  
Tel: (503) 813-5000  
Fax: (503) 813-5900  
Web: [www.pacificorp.com](http://www.pacificorp.com)

### **PacifiCorp dba**

#### **Rocky Mountain Power**

1407 W North Temple, Ste. 330  
Salt Lake City, UT 84116  
Tel: (801) 220-2000  
Fax: (801) 220-2798  
Web: [www.rockymountainpower.net](http://www.rockymountainpower.net)

## RETAIL COOPERATIVES

### **Bridger Valley Electric Association**

40014 Business Loop I-80  
Lyman, WY 82937  
Mailing Address:  
PO Box 399  
Mountain View, WY 82939-0399  
Tel: (307) 786-2800  
(800) 276-3481  
Fax: (307) 786-4362  
Web: [www.bvea.coop](http://www.bvea.coop)

### **Dixie Escalante Rural Electric Ass'n, Inc.**

#### **d/b/a Dixie Power**

71 E. Highway 56  
Beryl, UT 84714  
Tel: (435) 439-5311  
Fax: (435) 439-5352  
Web: [www.dixiepower.com](http://www.dixiepower.com)

### **Empire Electric Association, Inc.**

801 N. Broadway  
PO Drawer K  
Cortez, CO 81321-0676  
Tel: (970) 565-4444  
(800) 709-3726  
Fax: (970) 564-4404  
Web: [www.eea.coop](http://www.eea.coop)  
[www.empireelectric.org](http://www.empireelectric.org)

### **Flowell Electric Association, Inc.**

495 N. 3200 W.  
Fillmore, UT 84631  
Tel: (435) 743-6214  
Fax: (435) 743-5722

### **Garkane Energy Cooperative, Inc.**

120 W. 300 S.  
PO Box 465  
Loa, UT 84747-0465  
Tel: (435) 836-2795  
(800) 747-5403  
Fax: (435) 836-2497  
Web: [www.garkaneenergy.com](http://www.garkaneenergy.com)

### **Moon Lake Electric Association, Inc.**

188 W. 200 N.  
PO Box 278  
Roosevelt, UT 84066-0278  
Tel: (435) 722-2448  
(801) 619-3700  
(800) 437-9056  
Fax: (435) 722-3752  
Web: [www.mleainc.com](http://www.mleainc.com)

**Mt. Wheeler Power, Inc.**

1600 Great Basin Blvd  
PO Box 151000  
Ely, NV 89301-1000  
Tel: (775) 289-8981  
(800) 977-6937  
Fax: (775) 289-8987  
Web: [www.mwpower.net](http://www.mwpower.net)

**Raft River Rural Electric Cooperative, Inc.**

250 N. Main St.  
PO Box 617  
Malta, ID 83342-0617  
Tel: (208) 645-2211  
(800) 342-7732  
Fax: (208) 645-2300  
Web: [www.rrelectric.com](http://www.rrelectric.com)

**Wells Rural Electric Company**

1451 N. Humboldt Ave.  
PO Box 365  
Wells, NV 89835-0365  
Tel: (775) 752-3328  
Fax: (775) 752-3407  
Web: [www.wrec.coop](http://www.wrec.coop)

**WHOLESALE COOPERATIVE**

**Deseret Generation & Transmission Cooperative**

10714 South Jordan Gateway, Ste. 300

South Jordan, UT 84095-3921

Tel: (801) 619-6500  
(800) 756-3428  
Fax: (801) 619-6599  
Web: [www.deseretgt.com](http://www.deseretgt.com)  
[www.deseretpower.com](http://www.deseretpower.com)

**OTHER**

**South Utah Valley Electric Service District**

803 N. 500 E.  
PO Box 349  
Payson, UT 84651  
Tel: (801) 465-8020  
Fax: (801) 465-8017  
Web: [www.sesdofutah.com](http://www.sesdofutah.com)

**Strawberry Water Users Association**

745 N. 500 E.  
PO Box 70  
Payson, UT 84651  
Tel: (801) 465-9273  
Fax: (801) 465-4580  
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# Natural Gas Utilities Overview

Dominion Energy Utah (“Dominion”) currently provides natural gas distribution services to over one million customers and is the only natural gas utility regulated by the PSC for ratemaking purposes. Unlike most other natural gas utilities, Dominion owns or has access to natural gas production resources (i.e., “cost-of-service gas”) to meet a portion of its residential, commercial, and industrial sales customers’ gas demand. In addition, Dominion provides other services related to natural gas, such as the transportation of customer-acquired gas commodities through Dominion’s distribution system, and the sale of compressed natural gas for use in natural gas vehicles (NGV).

## Rate Mechanisms

The PSC is responsible for determining just and reasonable rates for Dominion. During general rate case proceedings, the PSC evaluates system costs, excluding those for gas supply and transportation, Dominion incurs to provide service to its retail customers. At the conclusion of these proceedings, the PSC sets distribution non-gas (DNG) rates to cover Dominion’s costs and to provide a fair rate of return on its investments. Dominion’s most recent general rate case concluded in February 2014 and, pursuant to a PSC-approved stipulation, Dominion will file its next general rate case between July 1 and December 31, 2019.

DNG rates are set to include recovery of costs associated with Dominion’s U.S. Department of Transportation-required pipeline integrity management program, currently estimated at over \$10 million per year. Under this program, Dominion is required to conduct ongoing assessments of pipeline integrity and associated risks, collect and analyze pipeline data, and implement preventive and mitigating measures to ensure pipeline safety. When actual incurred integrity management costs vary from those projected, the difference is maintained in a special balancing account that is evaluated during general rate case proceedings.

Dominion also collects revenue through a variety of other PSC-approved rate mechanisms. At least twice annually, Dominion files a “pass-through” application with the PSC to adjust its rates to recover the costs of producing its own gas and purchases from others (collectively referred to in rates as the gas commodity rate element), and the costs associated with gas gathering, storage, and interstate transportation (collectively referred to in rates as the supplier non-gas, or SNG, rate element). When actual costs vary from those projected, the difference is maintained in a balancing account, and an appropriate rate adjustment is made in a pass-through rate proceeding. Most recently, in March 2019, Dominion’s pass-through application reflected commodity and SNG costs of \$464.7 million for Utah customers. The rates set in this proceeding reflected an estimated increase of approximately \$13.2 million when compared with the previous pass-



through proceeding. Commodity and SNG costs currently represent the majority of the costs of providing natural gas service to Dominion's customers.

Since 2006, the PSC has approved the use of several other balancing accounts agreed to in various settlement stipulations, each supported by a diverse group of parties. These balancing accounts track costs and revenues associated with: the Conservation Enabling Tariff (CET), which allows Dominion to collect a fixed revenue-per-customer on a monthly basis in exchange for promoting customer energy efficiency programs; the Energy Efficiency (EE) program; and the energy assistance (EA) program for qualified low-income customers.

In June 2010, the PSC approved Dominion's Infrastructure Tracker (IT) Pilot Program that allows Dominion to track and recover costs it incurs between general rate cases directly associated with replacement of certain aging infrastructure. These costs are recovered through a surcharge included in all of Dominion's published rate schedules. In November 2018, Dominion filed its 2019 Replacement Infrastructure Annual Plan and Budget indicating its plans to replace high pressure feeder line segments in Davis, Box Elder, and Cache Counties, as well as several intermediate-high pressure belt line segments in Davis and Salt Lake Counties, at an estimated cost of \$70.9 million.

#### **A. *Traditional Rate Changes***

In FY 2019, Dominion filed eight rate change applications, all of which the PSC approved. The following information presents the effective dates of the approved rate changes, the PSC-approved revenue changes and, in parentheses, the associated percent change in a typical residential customer's annual bill, assuming 82 decatherms per year of natural gas.

On October 1, 2018, Dominion implemented a \$3.5 million (0.39 percent) rate increase associated with the IT Pilot Program.

On November 1, 2018, Dominion implemented an approximate \$49.5 million (5.75 percent) rate decrease reflecting the following elements: 1) a \$45.8 million (5.17 percent) revenue decrease associated with the gas pass-through balancing account; 2) a \$9.1 million (1.24 percent) revenue decrease associated with the CET account balance; 3) a \$5.4 million (0.67 percent) revenue increase associated with the EE program; and 4) a \$0.02 million (0.01 percent) revenue decrease associated with the low-income energy assistance program account balance.

On December 1, 2018, Dominion implemented a \$7.0 million (0.87 percent) revenue increase associated with the IT Pilot Program.

Effective April 1, 2019, Dominion implemented a \$19.5 million (2.42 percent) revenue increase reflecting the following elements: 1) a \$13.2 million (1.58 percent) revenue increase associated with the gas pass-through balancing account; and 2) a \$6.3 million (0.84 percent) revenue increase associated with the CET account balance.

Setting rates for a balancing account incorporates forecast judgment; accordingly, actual revenue collected in balancing accounts will vary from revenue amounts projected. Rates reset in

subsequent proceedings include the contemporaneous disposition of the balance in the respective balancing account. As of the end of April 2019, the gas pass-through balancing account reflected a balance of \$37.8 million owed to Dominion, the CET balancing account reflected a balance of \$0.2 million owed to Dominion, and the Integrity Management account reflected a balance of \$2.1 million owed to Dominion; as of the end of December 2018, the DSM balancing account reflected a balance of \$2.9 million owed to Dominion and the Low Income Energy Assistance program account reflected a balance of \$0.02 million owed to ratepayers.

In November 2018 and April 2019, Dominion filed applications to update the Transportation Imbalance Charge (TIC). For customers taking transportation service under Dominion's transportation service rate schedules, the TIC is applicable to volumes in excess of a plus or minus five-percent tolerance threshold. Effective November 1, 2018, the PSC approved an increase to the TIC from \$0.07645 to \$0.08122 per decatherm. Effective April 1, 2019, the PSC approved Dominion's application for a TIC rate increase to \$0.08323 per decatherm.

In January 2019, Dominion filed to rearrange the functionalization of certain cost elements associated with the production of cost-of-service gas. Dominion explained the tariff changes will ensure consistency in how gathering and processing costs for market and cost-of-service gas are treated in Dominion's gas pass-through applications. In May 2019, the PSC approved the application.

#### ***B. Rate Changes from the Tax Cuts and Jobs Act***

In December 2017, the PSC opened Docket No. 17-057-26 to investigate the revenue requirement impacts to Dominion of federal tax legislation ("Tax Reform Act") enacted on December 22, 2017. Among other things, the Tax Reform Act reduced the federal income tax rate from 35 percent to 21 percent. Since then the PSC has approved various settlement stipulations between Dominion, the DPU, the OCS, and UAE related to the provisions of the Tax Reform Act. The stipulations identify the level and timing of certain tax surcredits and other related ratemaking issues. Subsequent to the Tax Reform Surcredit 1 approved in mid-2018, in FY 2019, the PSC approved two additional surcredits as follows:

Tax Reform Surcredit 2: Effective August 1, 2018, Dominion implemented a \$9.5 million (1.01 percent) rate decrease to return to customers excess federal income taxes collected between January 1, 2018 and May 31, 2018, plus interest.

Tax Reform Surcredit 3: Effective June 1, 2019, Dominion implemented a \$5.0 million (0.55 percent) rate decrease related to the 2018 excess deferred income tax (EDIT) amortization.

Future impacts on EDIT associated with the Tax Reform Act will be adjudicated during Dominion's next general rate case proceeding,

## **Resource Planning**

### ***A. Integrated Resource Planning***

The PSC requires Dominion to prepare and file an annual integrated resource plan (IRP) which is used by Dominion as a guide for meeting its natural gas requirements on both a day-to-day and long-term basis. The PSC-approved 2009 IRP Standards and Guidelines are intended to ensure that present and future Dominion customers are provided the lowest cost natural gas energy services consistent with safe and reliable service, the fiscal requirements of a financially healthy utility, and the long-run public interest. The IRP is based on a 20-year planning horizon, focusing on the immediate future. During FY 2019, the PSC concluded its evaluation of Dominion's IRP for the plan year of June 1, 2018 - May 31, 2019 (2018 IRP) and commenced review of Dominion's IRP for the plan year of June 1, 2019 - May 31, 2020 (2019 IRP), filed in June 2019.

Dominion presented 2019 IRP-related information in five technical conferences. Evaluation of Dominion's 2019 IRP continues into FY 2020.

### ***B. Natural Gas Conservation and Energy Efficiency Planning***

The PSC reviews and approves Dominion's annual plan and budget for EE activities and the Market Transformation Initiative. This plan addresses programs proposed by Dominion, meant to encourage residential and commercial customers to conserve energy through education of and incentives for energy-efficient products, appliances, and construction methods. In CY 2018, Dominion spent \$23.4 million on its EE programs, or 95 percent of its PSC-approved \$24.5 million 2018 budget. According to Dominion, in 2018 there were approximately 78,800 participants in the various ThermWise® rebate, low income efficiency, and energy plan programs, with the energy comparison report being distributed to 285,000 customers. This participation resulted in an estimated annual natural gas savings of over 872,600 decatherms.

In December 2018, the PSC approved Dominion's proposed 2019 EE programs and market transformation initiative budget of \$25.5 million. Dominion estimated an annual savings of 1,203,472 decatherms (five percent above the 2018 EE programs savings estimate). The energy savings are approximately equivalent to the average annual natural gas consumption of almost 14,600 residential homes served by Dominion, assuming an annual average consumption of 82 decatherms.

In 2019, Dominion will continue to offer the same EE programs and initiatives offered in its 2018 EE Plan with minor changes. These programs are: ThermWise® Appliance Rebates, ThermWise® Builder Rebates, ThermWise® Business Rebates (including custom rebates), ThermWise® Weatherization Rebates, ThermWise® Home Energy Plan, Low Income Efficiency, ThermWise® Energy Comparison Report, and a comprehensive Market Transformation initiative. These programs offer rebates, fund training and grants, and provide information to Dominion customers, with the goal of decreasing energy consumption.

## **Proposed Liquefied Natural Gas Facility**

In April 2018, pursuant to Utah Code Ann. § 54-17-401, Dominion filed in Docket No. 18-057-03 a voluntary request for PSC approval of its decision to construct a liquefied natural gas (LNG) facility in Salt Lake County. In October 2018, the PSC issued an order declining to approve Dominion's application on the basis that the record was insufficient to determine the proposed facility was in the public interest.

On April 30, 2019, pursuant again to Utah Code Ann. § 54-17-401, Dominion filed in Docket No. 19-057-13 a voluntary request for PSC approval of its decision to construct an LNG facility in Salt Lake County. PSC consideration of Dominion's LNG application will continue in FY 2020.

## **Renewable Natural Gas Related Issues**

In December 2018, the PSC approved proposed modifications to Dominion's tariff including a new Section 5.07, Renewable Natural Gas (RNG) Transportation Service to Natural Gas Vehicle (NGV) Stations – RNGT, and other related changes.

In April 2019, consistent with tariff Section 5.07, Dominion requested PSC approval of a confidential RNG transportation service agreement between Dominion and Fleet Saver, LLC. Under the agreement, Fleet Saver will capture naturally occurring raw biogas from the Bayview Landfill in Elberta, Utah and process it into pipeline-quality RNG. The RNG will be sold to fleet vehicles via Dominion's network of NGV filling stations. The PSC approved the agreement in June 2019.

In March 2019, Dominion filed a request for approval of a new renewable energy program, known as GreenTherm<sup>®</sup>, and a related accounting order. As proposed, this program would provide an opportunity for Dominion customers to voluntarily contribute to a fund that would be used to purchase RNG, to fund projects designed to promote RNG and energy efficiency projects, and to cover GreenTherm<sup>®</sup>'s administrative costs. The PSC's consideration of this program continues into FY 2020.

## **Gas Utility Customer Relations and Third-Party Solicitation of a Utility Customer**

At the end of FY 2018, the PSC commenced an investigation of a controversial Dominion gas-line coverage solicitation letter issued as part of its implementation of its Tariff Section 8.08, Billing for Other Entities. In October 2018, the PSC issued an order suspending Section 8.08 prospectively and directing Dominion to initiate a collaborative process to develop a clarification letter to be sent to customers currently receiving third-party billing under Section 8.08. In this order, the PSC determined the public interest would be served by rulemaking to address proper use of utility customer lists, appropriate utility-related solicitation communications, use of monopoly utility branding, and other issues that may arise.

The PSC subsequently initiated Docket No. 18-R460-01, Proposed Rulemaking Concerning Utility/Customer Relations regarding Third-Party Solicitations. In May 2019, parties filed a

consensus rule addressing the PSC-identified issues and in June 2019, the PSC filed a proposed new rule with the Division of Administrative Rules. The earliest possible effective date for the new rule is August 7, 2019.

### **2019 Utah General Session - Utah House Bill 107: Sustainable Transportation and Energy Plan Act Amendments**

During the 2019 General Session, the Utah State Legislature passed House Bill 107 – Sustainable Transportation and Energy Plan (STEP) Act Amendments (HB 107). HB 107 expands provisions under the STEP Act to allow participation by a large-scale natural gas utility. The STEP pilot program period for a large-scale natural gas utility is 5 years, beginning on July 1, 2019. Among other things, HB 107 allows the PSC to authorize a large-scale natural gas utility to implement and fund programs the PSC determines are in the public interest of large-scale natural gas utility customers to provide for the investigation, analysis, and implementation of: (i) an economic development incentive rate; (ii) research and development of other efficiency technologies; (iii) an acquisition of nonresidential natural gas infrastructure behind the large-scale natural gas utility’s meter; (iv) the development of communities that can reduce greenhouse gases and NOx emissions; (v) a natural gas renewable energy project; (vi) a commercial line extension program; or (vii) any other technology program.

### **Pipeline Safety**

In April 2019, the PSC issued a Hazardous Facility Order directing Pacific Energy & Mining Company (PEMC) to cease operation of its pipeline and pay a civil penalty of \$100,000.



## NATURAL GAS TECHNICAL CONFERENCES

The PSC sponsored the following technical conferences during fiscal year 2019:

[Docket Nos. 18-057-13](#): *Application of Dominion Energy Utah for an Adjustment to the Daily Transportation Imbalance Charge*; [18-057-14](#): *Pass-Through Application of Dominion Energy Utah for an Adjustment in Rates and Charges for Natural Gas Service in Utah*; [18-057-15](#): *Application of Dominion Energy Utah to Amortize the Conservation Enabling Tariff Balancing Account*; [18-057-16](#): *Application of Dominion Energy Utah to Amortize the Energy Efficiency Deferred Account Balance*; and [18-057-17](#): *Application of Dominion Energy Utah for an Adjustment to the Low Income Assistance/Energy Assistance Rate*

- October 25, 2018: The purpose of the technical conference was for Dominion to address the questions submitted by the parties and to discuss changes to the format of pass-through applications filed with the PSC.

[Docket Nos. 18-057-19](#) and [18-R460-01](#): *Proposed Rulemaking Concerning Utility/Customer Relations regarding Third Party Solicitations*

- January 17, 2019: The purpose of the technical conference was to allow parties to collaborate to discuss a process regarding the drafting of rules concerning third-party solicitations.

[Docket No. 18-057-T04](#): *Application of Dominion Energy Utah to Make Tariff Modifications Relating to Transportation Service*

- August 29, 2018: Dominion presented information and answered questions on its proposed tariff modifications.

[Docket No. 18-057-T05](#): *Application of Dominion Energy Utah for Approval of Modifications to Tariff Section 7.07*

- November 19, 2018: Dominion presented information explaining its proposed tariff modification relating to contracting with renewable natural gas suppliers to supply this gas to their customers using Dominion's NGV fueling stations.

[Docket No. 19-057-01](#): *Dominion Energy Utah's Integrated Resource Plan (IRP) for Plan Year: June 1, 2019 to May 31, 2020*

- February 20, 2019: Dominion presented information and answered questions pertaining to: the IRP Standards and Guidelines, the PSC's 2018 IRP order, a proposed 2019 IRP outline, RNG, and Wexpro well freeze-offs.
- March 20, 2019: Dominion presented information and answered questions pertaining to: 2018/2019 heating season review, long-term planning, normal heating degree days, rural expansion, and the upcoming general rate case.
- April 25, 2019: Dominion presented information and answered questions pertaining to: RFP recommendations (confidential) and supply reliability results.

- May 29, 2019: Dominion and Wexpro presented information and answered questions pertaining to: Wexpro matters (confidential) and integrity management.
- June 20, 2019: Dominion provided a summary of and answered questions pertaining to its 2019 IRP filed in mid-June 2019.

[Docket No. 19-057-03](#): *Application of Dominion Energy Utah for Authority to Change its Depreciation Rates*

- February 20, 2019: Dominion presented information and answered questions pertaining to its proposed changes to depreciation rates.

[Docket No. 19-057-13](#): *Request of Dominion Energy Utah for Approval of a Voluntary Resource Decision to Construct a Liquefied Natural Gas Facility*

- June 19, 2019: Dominion presented information and answered questions concerning its proposal to construct an LNG facility.

[Docket No. 19-057-T01](#): *Application of Dominion Energy Utah for Approval of Modifications to Tariff Section 2.06*

- March 11, 2019: Dominion presented information explaining its proposal to rearrange certain gas commodity and non-gas cost functions as defined under tariff Section 2.06, Gas Balancing Account.

[Docket No. 19-057-T04](#): *Application of Dominion Energy Utah for the Creation of a Voluntary Renewable Natural Gas Program*

- May 1, 2019: During this technical conference, Dominion presented information explaining its proposal to implement a new voluntary GreenTherm<sup>®</sup> program.

## NATURAL GAS DOCKETS

[Docket No. 11-057-05](#) – *In the Matter of the Request of the Division of Public Utilities for Enforcement Action under the Natural Gas Pipeline Safety Act Against Questar Gas Company*

[Docket No. 12-057-08](#) – *In the Matter of the Pass-Through Application of Questar Gas Company for an Adjustment in Rates and Charges for Natural Gas Service in Utah*

[Docket No. 13-057-03](#) – *In the Matter of the Pass-Through Application of Questar Gas Company for an Adjustment in Rates and Charges for Natural Gas Service in Utah*

[Docket No. 13-057-07](#) – *In the Matter of the Pass-Through Application of Questar Gas Company for an Adjustment in Rates and Charges for Natural Gas Service in Utah*

[Docket No. 14-057-09](#) – *In the Matter of the Pass-Through Application of Questar Gas Company for Adjustment in Rates and Charges for Natural Gas Service in Utah*

[Docket No. 14-057-22](#) – *In the Matter of the Pass-Through Application of Questar Gas Company for an Adjustment in Rates and Charges for Natural Gas Service in Utah*

[Docket No. 15-057-04](#) – *In the Matter of the Pass-Through Application of Questar Gas Company for an Adjustment in Rates and Charges for Natural Gas Service in Utah*

[Docket No. 15-057-11](#) – *In the Matter of the Pass-Through Application of Questar Gas Company for an Adjustment in Rates and Charges for Natural Gas Service in Utah*

[Docket No. 16-057-01](#) – *In the Matter of the Joint Notice and Application of Questar Gas Company and Dominion Resources, Inc. of Proposed Merger of Questar Corporation and Dominion Resources, Inc.*

[Docket No. 16-057-05](#) – *In the Matter of the Pass-Through Application of Questar Gas Company for an Adjustment in Rates and Charges for Natural Gas Service in Utah*

[Docket No. 17-057-12](#) – *Dominion Energy Utah’s Integrated Resource Plan (IRP) for Plan Year: June 1, 2017 to May 31, 2018*

[Docket No. 17-057-13](#) – *Request for Agency Action and Complaint of US Magnesium, LLC against Dominion Energy Utah*

[Docket No. 17-057-15](#) – *Application of Dominion Energy Utah to Amortize the Conservation Enabling Tariff Balancing Account*

[Docket No. 17-057-19](#) – *Formal Complaint of Chek Line, Inc. against Dominion Energy Utah*

[Docket No. 17-057-22](#) – *Dominion Energy Utah’s Application for Approval of the 2018 Year Budget for Energy Efficiency Programs and Market Transformation Initiative*

[Docket No. 17-057-25](#) – *Dominion Energy Utah’s Replacement Infrastructure 2018 Annual Plan and Budget*

[Docket No. 17-057-26](#) – *Investigation of Revenue Requirement Impacts of the New Federal Tax Legislation Titled: “An act to*



*provide for reconciliation pursuant to titles II and V of the concurrent resolution of the budget for fiscal year 2018”*

[Docket No. 18-057-01](#) – *Dominion Energy Utah’s Integrated Resource Plan (IRP) for Plan Year: June 1, 2018 to May 31, 2019*

[Docket No. 18-057-02](#) – *Dominion Energy Utah’s Energy Efficiency Reports, 2018*

[Docket No. 18-057-03](#) – *Request of Dominion Energy Utah for Approval of a Voluntary Resource Decision to Construct a Liquefied Natural Gas Facility*

[Docket No. 18-057-06](#) – *Dominion Energy Utah’s Affiliate Transaction Report for the 12 Months Ending December 31, 2017*

[Docket No. 18-057-07](#) – *Dominion Energy’s Gas Line Coverage Letter*

[Docket No. 18-057-08](#) – *Dominion Energy Utah Financial Documents Filed in 2018*

[Docket No. 18-057-09](#) – *Dominion Energy Utah’s Quarterly Integration Progress Reports for 2018*

[Docket No. 18-057-10](#) – *Formal Complaint of Utah State University against Dominion Energy Utah*

[Docket No. 18-057-11](#) – *Application of Dominion Energy Utah to Change the Infrastructure Rate Adjustment*

[Docket No. 18-057-12](#) – *Formal Complaint of Dustin Lance against Dominion Energy Utah*

[Docket No. 18-057-13](#) – *Application of Dominion Energy Utah for an Adjustment to the Daily Transportation Imbalance Charge*

[Docket No. 18-057-14](#) – *Pass-Through Application of Dominion Energy Utah for an Adjustment in Rates and Charges for Natural Gas Service in Utah*

[Docket No. 18-057-15](#) – *Application of Dominion Energy Utah to Amortize the Conservation Enabling Tariff Balancing Account*

[Docket No. 18-057-16](#) – *Application of Dominion Energy Utah to Amortize the Energy Efficiency Deferred Account Balance*

[Docket No. 18-057-17](#) – *Application of Dominion Energy Utah for an Adjustment to the Low Income Assistance/Energy Assistance Rate*

[Docket No. 18-057-18](#) – *Formal Complaint of Brett Robinson and Brad Crookston against Dominion Energy Utah*

[Docket No. 18-057-19](#) – *Dominion Energy Utah – Proposed Rulemaking Concerning Utility/Customer Relations regarding Third-Party Solicitations*

[Docket No. 18-057-20](#) – *Dominion Energy Utah’s Application for Approval of the 2019 Year Budget for Energy Efficiency Programs and Market Transformation Initiative*

[Docket No. 18-057-21](#) – *Application of Dominion Energy Utah to Change the Infrastructure Rate Adjustment*

[Docket No. 18-057-22](#) – *Dominion Energy Utah’s Replacement Infrastructure 2019 Annual Plan and Budget*

[Docket No. 18-057-23](#) – *Application of Dominion Energy Utah for Modification of Memorandum Opinion, Findings, and Order Approving Joint Application in Docket No. 16-057-01*

[Docket No. 18-057-24](#) – *Formal Complaint of Scott M. Soulier against Dominion Energy Utah*

[Docket No. 18-057-T04](#) – *Application of Dominion Energy Utah to Make Tariff Modifications Relating to Transportation Service*

[Docket No. 18-057-T05](#) – *Application of Dominion Energy Utah for Approval of Modifications to Tariff Section 7.07*

[Docket No. 18-999-02](#) – *Miscellaneous Correspondence and Reports Regarding Gas Utility Services; 2018*

[Docket No. 18-999-08](#) – *Pipeline and Hazardous Materials Safety Administration (PHMSA) Annual Reports for Calendar Year 2017 of Natural or Other Gas Transmission and Gathering Systems*

[Docket No. 18-999-11](#) – *Pipeline and Hazardous Material Safety Administration (PHMSA) Incident Reports Filed in 2018*

[Docket No. 18-2602-01](#) – *Pacific Energy & Mining Company*

[Docket No. 19-057-01](#) – *Dominion Energy Utah’s Integrated Resource Plan (IRP) for Plan Year: June 1, 2019 to May 31, 2020*

[Docket No. 19-057-02](#) – *Application of Dominion Energy Utah to Increase Distribution Rates and Charges and Make Tariff Modifications*

[Docket No. 19-057-03](#) – *Application of Dominion Energy Utah for Authority to Change its Depreciation Rates*

[Docket No. 19-057-04](#) – *Pass-Through Application of Dominion Energy Utah for an Adjustment in Rates and Charges for Natural Gas Service in Utah*

[Docket No. 19-057-05](#) – *Application of Dominion Energy Utah for an Adjustment to the Daily Transportation Imbalance Charge*

[Docket No. 19-057-06](#) – *Application of Dominion Energy Utah to Amortize the Conservation Enabling Tariff Balancing Account*

[Docket No. 19-057-07](#) – *Dominion Energy Utah’s Energy Efficiency Reports, 2019*

[Docket No. 19-057-08](#) – *Formal Complaint of Nadra Haffar against Dominion Energy Utah*

[Docket No. 19-057-09](#) – *Formal Complaint of Brett Robinson and Brad Crookston against Dominion Energy Utah*

[Docket No. 19-057-10](#) – *Formal Complaint of Ricky Frank against Dominion Energy Utah*

[Docket No. 19-057-11](#) – *Application of Dominion Energy Utah for Approval of a Special Contract with Fleet Saver, LLC for RNGT Service*

[Docket No. 19-057-12](#) – Request to Eliminate Dominion Energy Utah’s Requirement to File its Annual Report with the Division of Public Utilities

[Docket No. 19-057-13](#) – Request of Dominion Energy Utah for Approval of a Voluntary Resource Decision to Construct a Liquefied Natural Gas (“LNG”) Facility

[Docket No. 19-057-14](#) – Dominion Energy Utah Financial Documents Filed in 2019

[Docket No. 19-057-15](#) – Formal Complaint of Alan Kruckenberg Construction against Dominion Energy Utah

[Docket No. 19-057-T01](#) – Application of Dominion Energy Utah for Approval of Modifications to Tariff Section 2.06

[Docket No. 19-057-T02](#) – Review of the Carrying Charges Applied to Various Dominion Energy Utah Account Balances

[Docket No. 19-057-T03](#) – Dominion Energy Utah’s Annual Calculation of the Third-Party Billing Rate and Request for Tariff Change

[Docket No. 19-057-T04](#) – Application of Dominion Energy Utah for the Creation of a Voluntary Renewable Natural Gas Program

[Docket No. 19-999-02](#) – Miscellaneous Correspondence and Reports Regarding Gas Utility Services; 2019

[Docket No. 19-999-06](#) – Pipeline and Hazardous Material Safety Administration (PHMSA) Incident Reports and Miscellaneous Notifications Filed in 2019

[Docket No. 19-999-07](#) – Pipeline and Hazardous Materials Safety Administration (PHMSA) Annual Reports for Calendar Year 2018 of Natural or Other Gas Transmission and Gathering Systems

# Natural Gas Companies

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# Telecommunications Utilities Overview

In fiscal year 2019, Utah's ILECs served approximately 275,000 traditional landline telephones, while CLECs served approximately 398,000. Wireless carriers served just over 2.5 million customers/accounts. In addition, an unknown, but likely increasing, number of customers are choosing to use voice over internet protocol (VoIP) for voice service. Overall, local exchange and voice service in Utah is characterized by intra-industry competition among local exchange companies, wireless telecommunications providers, and VoIP companies. As a result of consumers having these options, the total number of traditional landline accounts in Utah has declined from a peak of 1.2 million in 2001, to 0.608 million even as the state has seen increases in population, households, and businesses.

The regulation of telecommunications companies in Utah has changed significantly over the past twenty-five years. These changes are due to alterations in the number and type of providers in the industry (see box at right), the types of technologies used, consumer preferences, and the legal landscape.

CenturyLink QC ("CenturyLink") is the largest certificated telecommunications provider in Utah, and is the largest ILEC in the state serving most urban and suburban areas. It operates under state pricing flexibility rules and faces both intra- and inter-industry competition. CenturyLink operates under the same service quality regulations that all rate-of-return regulated local exchange companies and non-regulated competitive companies are subject to. CenturyLink offers service to residential and business customers located primarily along the Wasatch Front and within most of the major population centers from Logan to St. George. CenturyLink's service area includes about ninety percent of the state's population.

**ILEC - Incumbent local exchange carrier.** These are the legacy phone companies which have an obligation to serve. This category includes CenturyLink and the Rural Incumbents.

**Rural Incumbent - A legacy ILEC with an obligation to serve within its defined service territory.** These carriers serve populated areas of the state not served by CenturyLink.

**CLEC - Competitive Local Exchange Company.** These carriers compete directly with CenturyLink.

**UUSF - Utah's Universal Public Telecommunications Service Support Fund.**

**Lifeline - A low income assistance program where qualifying recipients receive either a discount off of their monthly bill or, in the case of some wireless providers, a complete basic service.**

Currently, the PSC sets UUSF distributions through regulation using a statutory framework for the seventeen Rural Incumbents. These Rural Incumbents generally do not face competition from

CLECs but, like CenturyLink, they compete with both wireless and VoIP providers. Many of these companies are part of larger corporate entities that also compete in the wireless, internet, video, and VoIP markets. The PSC does not regulate wireless providers, toll resellers, video providers, internet service providers, or VoIP companies.

The other major providers of telephone service are the CLECs. Since 1995, the PSC has received 334 applications from CLECs for Certificates of Public Convenience and Necessity (CPCN), and has granted 259 (some of which have been canceled or withdrawn). In fiscal year 2019, there were 160 currently certificated CLECs. Of these, 49 made ongoing payments into the UUSF, which historically has served two purposes: (1) to defray the capital investment costs and the ongoing operating costs of Rural Incumbents so as to allow the providers a reasonable profit while also guaranteeing reasonable rates for rural customers; and (2) to provide a Lifeline program under which low-income households receive a monthly subsidy to offset the cost of telecommunications services.

Most of Utah's active CLECs provide service exclusively to business customers. Most CLECs use at least some network elements of CenturyLink's public telephone network. One exception is Comcast, which offers VoIP to both residences and businesses over its own cable network that interconnects directly with CenturyLink's public telephone network.

### **Significant Developments**

The PSC's 2016, 2017, and 2018 annual reports discussed ongoing efforts by the Federal Communications Commission (FCC) to support the build-out of broadband facilities in un-served or under-served areas of the country. During the 2017 General Legislative Session, the Utah Legislature passed Senate Bill 130, Universal Service Fund Amendments, which adopted the same objective by permitting reimbursements from the UUSF for reasonable costs that (a) are incurred by a Rural Incumbent provider in deploying a broadband fiber-to-the-home network; and (b) cannot reasonably be recovered through rates. Utah's Rural Incumbents had begun upgrading their networks prior to the Legislature's expansion of the UUSF, and the PSC had approved use of the UUSF to offset a portion of those costs. However, the new legislation allows Rural Incumbents to claim UUSF support in new ways.

In addition, Senate Bill 130 expanded the UUSF in the following ways:

1. It approved wireless providers to apply for Lifeline support.
2. It required the PSC to identify purposes for which CenturyLink may receive ongoing UUSF support.
3. It required the PSC to identify circumstances under which some providers might receive a one-time distribution from the UUSF.

During FY 2018, the PSC initiated a proceeding (Docket No. 17-R008-01) to repeal Utah Administrative Code R746-360, R746-341, and R746-343 and to replace them with R746-8, Utah Universal Public Telecommunications Service Support Fund UUSF. The purpose of the new rule was to establish provisions for the administration of the UUSF. R746-8 was made effective on February 21, 2018 and shortly thereafter was amended, effective June 21, 2018,

to clarify that landline carriers would be eligible to receive Lifeline subsidies under the UUSF.

<b>FY19 LIFELINE PAYMENTS (July 1, 2018 - June 30, 2019)</b>	
	<b>AMOUNT</b>
ALL WEST COMMUNICATIONS, INC.	\$546.00
BEAR LAKE COMMUNICATIONS, INC.	\$59.50
BEEHIVE TELEPHONE COMPANY, INC.	\$336.00
CARBON/EMERY TELCOM, INC.	\$6,254.50
CENTRAL UTAH TELEPHONE, INC.	\$2,058.00
CITIZENS TELECOMMUNICATIONS COMPANY OF UTAH D/B/A FRONTIER COMMUNICATIONS OF UTAH	\$4,560.50
DIRECT COMMUNICATIONS CEDAR VALLEY, LLC	\$476.00
I-WIRELESS, LLC	\$2,460.50
EMERY TELEPHONE	\$2,061.50
GUNNISON TELEPHONE COMPANY	\$980.00
HANKSVILLE TELCOM, INC.	\$63.00
MANTI TELEPHONE COMPANY	\$3,444.00
NAVAJO COMMUNICATIONS COMPANY, INC. D/B/A FRONTIER NAVAJO COMMUNICATIONS COMPANY	\$304.50
QWEST CORPORATION D/B/A CENTURYLINK QC	\$81,126.50
SKYLINE TELECOM	\$1,008.00
SOUTH CENTRAL UTAH TELEPHONE ASSOCIATION, INC.	\$3,766.00
STRATA NETWORKS (UBTA-UBET COMMUNICATIONS, INC.)	\$6,044.50
Q LINK WIRELESS, LLC	\$375,046.00
VIRGIN MOBILE USA, L.P./ASSURANCE WIRELESS	\$49,931.00
<b>TOTAL</b>	<b>\$540,526.00</b>

In FY 2019, the PSC has been administering the UUSF according to R746-8 which defines the UUSF funding mechanism and allowable uses in accordance with Senate Bill 130's directives. In the new rule the PSC initially implemented a surcharge of \$0.36 per access line per month to fund the UUSF. As the result of a PSC-initiated investigation, R746-8 was amended to raise the surcharge to \$0.60 (effective May 1, 2019) to cover the increased UUSF disbursements.

<b>FY19 UUSF PAYMENTS (July 1, 2018 - June 30, 2019)</b>	
	<b>AMOUNT</b>
<b>All West Communications, Inc.</b>	<b>\$1,830,387.96</b>
<b>Bear Lake Communications, Inc.</b>	<b>\$131,391.48</b>
<b>Beehive Telephone Company, Inc.</b>	<b>\$918,331.50</b>
<b>Carbon/Emery Telcom, Inc.</b>	<b>\$1,434,562.62</b>
<b>Central Utah Telephone, Inc.</b>	<b>\$465,639.96</b>
<b>Direct Communications Cedar Valley, LLC</b>	<b>\$1,220,955.48</b>
<b>Emery Telephone</b>	<b>1,038,663.48</b>
<b>Gunnison Telephone Company</b>	<b>\$271,017.00</b>
<b>Hanksville Telcom, Inc.</b>	<b>\$68,261.04</b>
<b>Manti Telephone Company</b>	<b>\$1,040,435.52</b>
<b>Skyline Telecom</b>	<b>\$23,154.00</b>
<b>South Central Utah Telephone Association, Inc.</b>	<b>\$3,740,930.52</b>
<b>STRATA Networks (UBTA-UBET Communications, Inc.)</b>	<b>\$2,645,643.00</b>
<b>Union Telephone Company</b>	<b>\$37,930.50</b>
<b>Total</b>	<b>\$14,867,304.06</b>

### **Certificates of Public Convenience and Necessity and Interconnection Agreements**

During FY 2019, Utah continued to see only limited interest from potential entrants into the telecommunications sector. The PSC approved three CPCN applications, canceled two existing CPCNs, approved 15 reorganization petitions, and acknowledged eight interconnection agreements (new and amendments) between CLECs and ILECs.

### **Eligible Telecommunications Carriers**

During FY 2018, the PSC received three requests from wireless carriers to be designated as eligible telecommunications carriers (“ETC”) to allow participation in the federal and state Lifeline programs and two requests to add participation in the state Lifeline program to carriers’ existing ETC designations. All five requests were approved in FY 2019. Additionally, seven requests either to be designated as an ETC, or to amend an existing designation, in order to participate in various federal or state universal service or lifeline programs were received and granted in FY 2019.

### **Telecommunications Dockets Summary**

The PSC addressed approximately 164 telecommunications dockets in FY 2019. Most involved setting UUSF support levels; tariffs; price lists; complaints; and the entry, exit, or reorganization of CLECs. Of the remainder, 8 dealt with the interconnection between carriers, and 12 dealt with requests from carriers to participate in either the federal or state Lifeline programs. The PSC did not receive any requests from Rural Incumbents for rate changes, but did address changes to UUSF disbursements for all rural carriers.



## TECHNICAL CONFERENCE

The PSC sponsored one technical conference during FY 2019 regarding a complaint:

[Docket No. 19-041-01](#): *Formal Complaint of SRR Partners, LLC d/b/a Sorrel River Ranch Resort & Spa against Frontier Communications*

- April 30, 2019: Parties provided information relating to the complaint.



## TELECOMMUNICATIONS DOCKETS

### CPCN Dockets

[Docket No. 18-2607-01](#) – *Application of Vesta Solutions, Inc. for Certificate of Public Convenience and Necessity to Provide Telecommunications Services in the State of Utah*

[Docket No. 19-2611-01](#) – *Application of Teliix, Inc. For a Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Local Exchange Services within the State of Utah*

[Docket No. 19-2612-01](#) – *Application of NGA 911, LLC for a Certificate of Public Convenience and Necessity to Provide Telecommunications Services in the State of Utah*

[Docket No. 19-2613-01](#) – *Application of Commnet Rural America, LLC for a Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Telecommunications Services within the State of Utah*

### ETC Dockets

[Docket No. 09-2511-01](#) – *In the Matter of the Petition of TracFone Wireless, Inc. for Designation as an Eligible Telecommunications Carrier in the State of Utah for the Limited Purpose of Offering Lifeline Service to Qualified Households*

[Docket No. 12-2553-01](#) – *In the Matter of the Petition of Telrite Corporation d/b/a Life Wireless for Limited Designation as an Eligible Telecommunications Carrier*

[Docket No. 17-2511-01](#) – *Request of TracFone Wireless, Inc. to Amend its Designation as an Eligible Telecommunications Carrier to Receive Utah Universal Service Fund Support for Lifeline Service*

[Docket No. 18-2521-02](#) – *Virgin Mobile USA, L.P. Petition for Limited Designation as an Eligible Telecommunications Carrier*

[Docket No. 18-2526-01](#) – *Petition of i-wireless, LLC to Amend its Designation as an Eligible Telecommunications Carrier in*

*the State of Utah to Participate in the Utah Universal Service Fund*

[Docket No. 18-2549-02](#) – *Petition to Amend Q Link Wireless LLC’s Designation as an Eligible Telecommunications Carrier to Participate in the Utah Universal Service Fund*

[Docket No. 18-2553-01](#) – *Telrite Corporation dba Life Wireless’s Petition to Amend Designation as an Eligible Telecommunications Carrier to Participate in the Utah Universal Service Fund*

[Docket No. 18-2597-01](#) – *Petition of Assist Wireless, LLC to Amend its Designation as an Eligible Telecommunications Carrier to Receive Utah Universal Service Fund Support for Lifeline Service*

[Docket No. 18-2601-01](#) – *Petition of Sage Telecom Communications, LLC d/b/a TruConnect for Designation as an Eligible Telecommunications Carrier in the State of Utah*

[Docket No. 18-2609-01](#) – *Petition of Commnet Four Corners, LLC for Designation as an Eligible Telecommunications Carrier for Purposes of Receiving CAF Phase II Support*

[Docket No. 18-2610-01](#) – *Petition of Viasat Carrier Services, Inc. for Designation as an Eligible Telecommunications Carrier to Receive Connect America Fund Phase II*

### **UUSF Dockets**

[Docket No. 18-040-01](#) – *2019 Utah Universal Service Fund Preliminary Recommendation for Central Utah Telephone, Inc.*

[Docket No. 18-041-02](#) – *2019 Utah Universal Service Fund Recommendation for Citizens Telecommunications Company of Utah dba Frontier Communications of Utah*

[Docket No. 18-042-01](#) – *2019 Utah Universal Service Fund Recommendation for Emery Telephone*

[Docket No. 18-043-01](#) – *2019 Utah Universal Service Fund Preliminary Recommendation for Gunnison Telephone Company*

[Docket No. 18-046-01](#) – *2019 Utah Universal Service Fund Recommendation for Manti Telephone Company*

[Docket No. 18-050-02](#) – *2019 Utah Universal Service Fund Recommendation for Navajo Communications Company, Inc. dba Frontier Navajo Communications Company*

[Docket No. 18-051-01](#) – *2019 Utah Universal Service Fund Preliminary*

*Auction (Auction 903) Support for Voice and Broadband Services*

[Docket No. 19-2432-01](#) – *Petition of Global Connection Inc. of America d/b/a Stand up Wireless to Amend its Designation as an Eligible Telecommunications Carrier in the State of Utah to Participate in the Utah Universal Service Fund*

*Recommendation for Beehive Telephone Company, Inc.*

[Docket No. 18-052-01](#) – *2019 Utah Universal Service Fund Recommendation for South Central Utah Telephone Association*

[Docket No. 18-053-02](#) – *2019 Utah Universal Service Fund Recommendation for UBTA-UBET Communications, Inc. dba Strata Networks*

[Docket No. 18-054-01](#) – *2019 Utah Universal Service Fund Recommendation for Union Telephone Company, Inc.*

[Docket No. 18-576-01](#) – *2019 Utah Universal Service Fund Preliminary Recommendation for Skyline Telecom*

[Docket No. 18-2180-01](#) – *2019 Utah Universal Service Fund Recommendation for All West Communications, Inc.*

[Docket No. 18-2201-01](#) – *2019 Utah Universal Service Fund Preliminary Recommendation for Bear Lake Communications, Inc.*

[Docket No. 18-2302-02](#) – 2019 Utah  
Universal Service Fund Recommendation  
for Carbon/Emery Telecom, Inc.

[Docket No. 18-2303-01](#) – 2019 Utah  
Universal Service Fund Recommendation  
for Hanksville Telecom, Inc.

### **Lifeline Dockets**

[Docket No. 17-2590-01](#) – Notice by  
Boomerang Wireless, LLC d/b/a enTouch  
Wireless Re: Updated Lifeline Plan  
Description

[Docket No. 18-2419-01](#) – 2019 Utah  
Universal Service Fund Preliminary  
Recommendation for Direct  
Communications Cedar Valley

[Docket No. 18-2549-01](#) – Notice by Q Link  
Wireless LLC Re: Changes to its Wireless  
Lifeline Plan

### **CLEC Reorganization Dockets**

[Docket No. 17-2468-01](#) – Notice of Transfer  
of Indirect Control of YMax  
Communications Corp.

[Docket No. 18-094-02](#) – Application of  
Sprint Communications Company L.P. for  
Informal Adjudication of Indirect Transfer  
of Control

[Docket No. 18-2445-01](#) – Joint Application  
of Crown Castle Fiber LLC, Crown Castle  
NG West LLC, and NewPath Networks, LLC  
for (1) Approval of a Pro Forma  
Consolidation, (2) Approval for the Crown  
Castle NG West LLC Certificate to be  
Transferred to Crown Castle Fiber LLC or,  
in the Alternative, Issuance of a New  
Certificate, and (3) Exemption from Utah  
Code Ann. § 54-8b-18 and Commission Rule  
R746-349-5

[Docket No. 18-2452-01](#) – Joint Application  
of Lingo Communications, LLC, Ionex  
Communications North, LLC, TNCI Impact  
LLC, and Matrix Telecom, LLC for  
Approval of the Proposed Transfer of

Indirect Control of Matrix Telecom, LLC to  
Lingo Communications, LLC

[Docket No. 18-2480-02](#) – Joint Application  
of MLN TopCo Ltd., Mitel Networks  
Corporation, and Mitel Cloud Services, Inc.  
f/k/a Mitel NetSolutions, Inc. for Approval to  
Transfer Indirect Control of Mitel Cloud  
Services, Inc. to MLN TopCo Ltd.

[Docket No. 18-2512-01](#) – Joint Application  
of Crown Castle Fiber LLC, Crown Castle  
NG West LLC, and NewPath Networks, LLC  
for (1) Approval of a Pro Forma  
Consolidation, (2) Approval for the Crown  
Castle NG West LLC Certificate to be  
Transferred to Crown Castle Fiber LLC or,  
in the Alternative, Issuance of a New  
Certificate, and (3) Exemption from Utah  
Code Ann. § 54-8b-18 and Commission Rule  
R746-349-5

[Docket No. 18-2524-01](#) – Notification of  
Transfer of Control of BCM One, Inc.

[Docket No. 18-2563-01](#) – Birch  
Communications, LLC, Ionex

*Communications North, LLC, and Tempo Telecom, LLC's Joint Notice of Pro Forma Change to Their Ownership*

[Docket No. 18-2563-02](#) – *Joint Application of Lingo Communications, LLC, Ionex Communications North, LLC, TNCI Impact LLC, and Matrix Telecom, LLC for Approval of the Proposed Transfer of Indirect Control of Matrix Telecom, LLC to Lingo Communications, LLC*

[Docket No. 18-2569-02](#) – *Birch Communications, LLC, Ionex Communications North, LLC, and Tempo Telecom, LLC's Joint Notice of Pro Forma Change to Their Ownership*

[Docket No. 18-2600-01](#) – *Birch Communications, LLC, Ionex Communications North, LLC, and Tempo Telecom, LLC's Joint Notice of Pro Forma Change to Their Ownership*

### **Interconnection Dockets**

[Docket No. 18-041-01](#) – *Agreement for Local Interconnection between Citizens Telecommunications Company of Utah d/b/a Frontier Communications of Utah and Onvoy, LLC*

[Docket No. 18-050-01](#) – *Agreement for Local Interconnection between Navajo Communications Company, Inc. d/b/a Frontier Navajo Communications Company and Onvoy, LLC*

[Docket No. 19-049-01](#) – *Amendment to the Interconnection Agreement between Qwest Corporation d/b/a CenturyLink QC and Level 3 Communications, LLC*

[Docket No. 19-049-02](#) – *Amendment to the Interconnection Agreement between Qwest*

[Docket No. 18-2608-01](#) – *Joint Application of Crown Castle Fiber LLC, Crown Castle NG West LLC, and NewPath Networks, LLC for (1) Approval of a Pro Forma Consolidation, (2) Approval for the Crown Castle NG West LLC Certificate to be Transferred to Crown Castle Fiber LLC or, in the Alternative, Issuance of a New Certificate, and (3) Exemption from Utah Code Ann. § 54-8b-18 and Commission Rule R746-349-5*

[Docket No. 19-2366-01](#) – *Notice of Indirect Transfer of Control of West Safety Communications Inc.*

[Docket No. 19-2591-01](#) – *Notice of Transfer of Indirect Control of SummitIG Utah, LLC*

[Docket No. 19-2600-01](#) – *Birch Communications, LLC's Request for Approval to Change the Company Name to Fusion Cloud Services, LLC*

*Corporation d/b/a CenturyLink QC and Level 3 Telecom of Utah, LLC*

[Docket No. 19-049-05](#) – *Amendment to the Interconnection Agreement between Qwest Corporation d/b/a CenturyLink QC and Level 3 Communications, LLC*

[Docket No. 19-049-06](#) – *Amendment to the Interconnection Agreement between Qwest Corporation d/b/a CenturyLink QC and Teleport Communications America, LLC*

[Docket No. 19-049-07](#) – *Interconnection Agreement between Qwest Corporation dba CenturyLink QC and Teliix, Inc.*

[Docket No. 19-049-08](#) – *Amendment to the Interconnection Agreement between Qwest*

Corporation d/b/a CenturyLink QC and XO  
Communications Services, LLC

### **Complaint Dockets**

[Docket No. 18-049-11](#) – Formal Complaint  
of Alan Kruckenberg Construction, Inc.  
against CenturyLink

[Docket No. 18-049-12](#) – Formal Complaint  
of Arroyo de Plata, LLC dba Domino's  
Pizza against CenturyLink

[Docket No. 18-053-01](#) – Formal Complaint  
of Clifford Murray against Strata Networks

[Docket No. 19-041-01](#) – Formal Complaint  
of SRR Partners, LLC d/b/a Sorrel River

Ranch Resort & Spa against Frontier  
Communications

[Docket No. 19-041-02](#) – Formal Complaint  
of Jayne Dillon May against Frontier  
Communications of Utah

[Docket No. 19-041-04](#) – Investigation of  
Citizens Telecommunications Company of  
Utah dba Frontier Communications of Utah

[Docket No. 19-049-03](#) – Formal Complaint  
of Harry L. Lucas against CenturyLink

### **Other Miscellaneous Dockets**

[Docket No. 18-049-09](#) – 2018 CenturyLink  
QC Monthly Performance Assurance Plan  
PID-PAP Reports

[Docket No. 18-049-13](#) – Qwest Corporation  
dba CenturyLink QC's Request for  
Numbering Waiver – Lehi Rate Center

[Docket No. 18-999-03](#) – Miscellaneous  
Correspondence and Reports Regarding  
Telecommunications Utility Services; 2018

[Docket No. 18-999-05](#) – Eligible  
Telecommunications Carriers' Annual  
Lifeline Recertification Filings

[Docket No. 18-999-09](#) – Universal Service  
and Speech/Hearing Impaired Funds Status  
Reports

[Docket No. 18-999-12](#) – 2018 Universal  
Service Fund CAF ICC Review

[Docket No. 18-999-15](#) – Investigation into  
Management of the Utah Universal Service  
Fund Contribution Method

[Docket No. 18-2249-01](#) – Public Service  
Commission's Inquiry Concerning the  
Cancellation of McLeodUSA  
Telecommunications Services, Inc.'s Bond

[Docket No. 19-040-01](#) – 2018 Annual  
Report of Central Utah Telephone, Inc.  
d/b/a CentraCom

[Docket No. 19-041-03](#) – 2018 Annual  
Report of Citizens Telecommunications  
Company of Utah d/b/a Frontier  
Communications of Utah

[Docket No. 19-042-01](#) – 2018 Annual  
Report of Emery Telephone d/b/a Emery  
Telcom

[Docket No. 19-043-01](#) – 2018 Annual Report of Gunnison Telephone Company

[Docket No. 19-046-01](#) – 2018 Annual Report of Manti Telephone Company

[Docket No. 19-049-04](#) – 2019 CenturyLink QC Monthly Performance Assurance Plan PID-PAP Reports

[Docket No. 19-050-01](#) – 2018 Annual Report of Navajo Communications Company, Inc. dba Frontier Navajo Communications Company

[Docket No. 19-051-01](#) – 2018 Annual Report of Beehive Telephone Company, Inc.

[Docket No. 19-052-01](#) – 2018 Annual Report of South Central Utah Telephone Association, Inc.

[Docket No. 19-053-01](#) – 2018 Annual Report of UBTA-UBET Communications, Inc. d/b/a STRATA Networks

[Docket No. 19-576-01](#) – 2018 Annual Report of Skyline Telecom d/b/a CentraCom

[Docket No. 19-999-03](#) – Miscellaneous Correspondence and Reports Regarding Telecommunications Utility Services; 2019

[Docket No. 19-999-05](#) – Eligible Telecommunications Carriers' Annual Lifeline Recertification Filings

[Docket No. 19-999-10](#) – Competitive Local Exchange Carrier ("CLEC") Annual Reports for Calendar Year 2018

[Docket No. 19-999-13](#) – 2019 Universal Service Fund (USF) CAF ICC Review

[Docket No. 19-2180-01](#) – 2018 Annual Report of All West Communications, Inc.

[Docket No. 19-2201-01](#) – 2018 Annual Report of Bear Lake Communications, Inc.

[Docket No. 19-2302-01](#) – 2018 Annual Report of Carbon/Emery Telcom, Inc.

[Docket No. 19-2303-01](#) – 2018 Annual Report of Hanksville Telcom, Inc.

[Docket No. 19-2419-01](#) – 2018 Annual Report of Direct Communications Cedar Valley, LLC

[Docket No. 19-2558-01](#) – Teleport Communications America, LLC's Request for Waiver – Bountiful, UT Rate Center

### **Price List Dockets**

[Docket No. 18-049-P10](#) – Qwest Corporation d/b/a CenturyLink QC – Exchange and Network Services Price List – This filing deletes Call Event and Management Signaling Service effective September 29, 2018.

[Docket No. 18-049-P11](#) – Qwest Corporation d/b/a CenturyLink QC – Exchange and Network Services Price List –

*This filing adjusts the Lifeline state credit and Tribal Lifeline credit to account for the increase in the Interstate Subscriber Line Charge that is effective October 1, 2018.*

[Docket No. 18-087-P06](#) – AT&T Corp. – Custom Network Services Price List – The purpose of this filing is to change the rates for AT&T Business Network Service in Rate Schedules 1 and 2.

[Docket No. 18-087-P07](#) – AT&T Corp. – *Local Exchange Services Price List – The purpose of this filing is to change the rates for AT&T All In One Local Service plans.*

[Docket No. 18-087-P08](#) – AT&T Corp. – *Custom Network Services Price List – The purpose of this filing is to change the rates for AT&T All In One Intrastate Long Distance Service plans.*

[Docket No. 18-087-P09](#) – AT&T Corp. – *Custom Network Services Price List – The purpose of this filing is to remove references to Distributed Network Service which were inadvertently overlooked when the service was withdrawn.*

[Docket No. 18-2204-P06](#) – CenturyLink Communications, LLC – *This filing increases the monthly rate by \$2.00 for the CenturyLink Choice Unlimited Plan for business customers.*

[Docket No. 18-2461-P01](#) – Veracity Networks, LLC – *This Price List revises Page No. 46.*

[Docket No. 18-2301-P06](#) – SBC Long Distance, LLC – *The purpose of this filing is to change rates for Business Default Plan for Hierarchical Billing – Switched.*

[Docket No. 18-2457-P02](#) – Metropolitan Telecommunications of Utah, Inc. d/b/a MetTel – *The purpose of this filing is to increase rates for Business Message Rate Service, Directory Listings, and to eliminate discounts for Centrex Service.*

[Docket No. 18-2558-P01](#) – Teleport Communications America, LLC – *Local Exchange Services Price List – The purpose of this filing is to remove a reference to Business Local Service which was*

*inadvertently overlooked when the service was previously withdrawn.*

[Docket No. 18-2414-P02](#) – Granite Telecommunications, LLC – *With this submission, Granite Telecommunications, LLC amends several service rates and introduces new services, in conjunction with like amendments adopted by the Company's underlying incumbent local exchange carriers.*

[Docket No. 18-2204-P07](#) – CenturyLink Communications, LLC – *This filing changes the name of the long distance residential plans: 5 Cent Plan, 10¢ Domestic Plan for International, 5 Cent Saver Plan, 7 Cent Preferred Plan, 7 Cent Anywhere Plan and 10 Cent Single Rate Plan to CenturyLink Freedom, and Home Phone Plus 5 Cents LD to Home Phone II Per Minute. These plans will no longer be available to new customers. In addition, 15 Cent Single Rate Plan will change to the Easy Talk II Plan.*

[Docket No. 18-087-P10](#) – AT&T Corp. – *Message Telecommunications Services Price List – This filing withdraws several Consumer Calling Card and Long Distance plans with no subscribers and changes plan names and consolidates plans.*

[Docket No. 18-049-P13](#) – Qwest Corporation dba CenturyLink QC – *Private Line Transport Services Price List – This filing removes references to Asynchronous Transfer Mode service and LAN Switching Service.*

[Docket No. 18-049-P12](#) – Qwest Corporation dba CenturyLink QC – *Advanced Communications Service Price List – This filing discontinues CenturyLink QC's Frame Relay and Asynchronous Transfer Mode service as well as removes references to Lan Switching Service which*



was discontinued in 2008 and no longer has any customers.

[Docket No. 18-2208-P01](#) – XO Communications Services, LLC – This filing increases monthly recurring charges for Basic Business Lines, Centrex, ISDN-PRI, DID Numbers, Directory Listings, Private Switch/Automatic Switched Digital T1 Service, Remote Call Forwarding, Toll Free, and XO Long Distance Business Plans.

[Docket No. 18-2450-P03](#) – Preferred Long Distance, Inc. dba Telplex Communications dba Telplex Price List – With this submission Telplex increases the local line recurring charge, rates for certain custom calling features and directory listing services reflecting underlying carrier rate increases.

[Docket No. 18-087-P11](#) – AT&T Corp. – Residential Local Exchange Services Price List – This filing grandfathers the Call Plan Unlimited Plus plan for Consumer.

[Docket No. 18-049-P14](#) – Qwest Corporation dba CenturyLink QC – Advanced Communications Services Price List – In this filing, CenturyLink QC is seeking to discontinue its Ethernet with Extended Transport application under Metro Optical Ethernet.

[Docket No. 18-2607-P01](#) – Vesta Solutions, Inc. – Original Price List No. 1

[Docket No. 18-2558-P02](#) – Teleport Communications America, LLC – Local Exchange Services Price List – The purpose of this filing is to extend the discontinuance date for PrimeNBX and PrimePath NBX Services.

[Docket No. 18-087-P12](#) – AT&T Corp. – Residential Local Exchange Services Price

List – This filing increases the rates for selected Consumer calling plans.

[Docket No. 19-2204-P03](#) – CenturyLink Communications, LLC – This filing modifies the CenturyLink business bundle unlimited plan to be available to customers who purchase the new local service package, CenturyLink Business Bundle Preferred.

[Docket No. 19-2301-P04](#) – SBC Long Distance, LLC, dba SBC Long Distance, dba AT&T Long Distance – The purpose of this filing is to increase the Business MTC Minimum Usage Charge (MUC).

[Docket No. 19-2301-P05](#) – SBC Long Distance, LLC, dba SBC Long Distance, dba AT&T Long Distance – The purpose of this filing is to introduce 300, 750, 1500 and 3000 Block of Time II 1-Year term agreement plans, remove the autorenewal provision from Block of Time II 1-Year Term Agreements and grandfather the 250, 700, 1200 and 2500 Block of Time II Plan.

[Docket No. 19-049-P06](#) – Qwest Corporation dba CenturyLink QC – Exchange and Network Services Price List – This filing increases the Facility Relocation Cost Recovery Fee.

[Docket No. 19-049-P05](#) – Qwest Corporation dba CenturyLink QC – Exchange and Network Services Price List – This filing increases monthly rates for business and residence flat rated and measured access lines, custom calling services and multiple packaged services.

[Docket No. 19-2600-P01](#) – Birch Communications, LLC (Pending Name Change to Fusion Cloud Services, LLC, Docket No. 19-2600-01) Price List – The purpose of this filing is to replace in their entirety Birch Communications, LLC's Utah

tariff Nos. 1 and 2 currently on file with the Public Service Commission with the local and interexchange (Utah Price List No. 3) and access services (Utah Price List No. 4).

[Docket No. 19-049-P04](#) – Qwest Corporation dba CenturyLink QC – Exchange and Network Services Price List – This filing increases monthly rates for business and residence flat rated and measured access lines, custom calling services and multiple packaged services.

[Docket No. 19-2204-P01](#) – CenturyLink Communications, LLC – This filing makes the following changes to its residential long distance calling plans; increases the per minute rate by \$0.03 for the residential calling plans Easy Talk, Easy Talk 50, and the Easy Talk II Plan, in addition to the grandfathered residential long distance calling plans CenturyLink Freedom, Membership Calling Plan, 300 Minute Plan, Managed Long Distance, and Home Phone II Per Minute.

[Docket No. 19-049-P01](#) – Qwest Corporation dba CenturyLink QC – Exchange and Network Services Price List – This filing increases the late payment charge applicable when payment is not received by the billing date on the customer's next bill and increases the per-call charge for directory assistance.

[Docket No. 19-087-P02](#) – AT&T Corp. – Custom Network Services Price List – This filing increases the rates for selected AT&T Business Network Services Schedules 1 and 2.

[Docket No. 19-087-P01](#) – AT&T Corp. – Local Exchange Services Price List – This filing increases the rates for selected All In One Local calling plans.

[Docket No. 19-2457-P01](#) – Metropolitan Telecommunications of Utah, Inc. d/b/a MetTel – The purpose of this filing is to increase rates for Directory Listings, Directory Assistance and Subscriber Intrastate Access Service.

[Docket No. 19-087-P04](#) – AT&T Corp. – Message Telecommunications Services Price List – This filing increases the rate for AT&T One Rate I and also consolidates AT&T One Rate IV into AT&T One Rate I.

[Docket No. 19-087-P03](#) – AT&T Corp. – Custom Network Services Price List – This filing increases the rates for selected All In One Intrastate Long Distance plans.

[Docket No. 19-2414-P01](#) – Granite Telecommunications, LLC – With this submission, Granite Telecommunications, LLC amends the late payment assessment rate on past due accounts consistent with underlying carrier amendments.

[Docket No. 19-049-P02](#) – Qwest Corporation dba CenturyLink QC – Exchange and Network Services Price List – This filing grandfathers Essential Home Phone with 30 Minutes Long Distance, a residence packaged service.

[Docket No. 19-2204-P02](#) – CenturyLink Communications, LLC – This filing grandfathers the residential long distance plan, 30 Minutes Long Distance.

[Docket No. 19-2301-P02](#) – SBC Long Distance, LLC, d/b/a SBC Long Distance, d/b/a AT&T Long Distance – The purpose of this filing is to increase the rates for Business Default Plan for Hierarchical Billing – Switched.

[Docket No. 19-2301-P01](#) – SBC Long Distance, LLC, d/b/a SBC Long Distance,

*d/b/a AT&T Long Distance – The purpose of this filing is to increase the Minimum Usage Charge rate associated with Residential Message Telecommunications Service.*

[Docket No. 19-2301-P03](#) – SBC Long Distance, LLC, dba SBC Long Distance, dba AT&T Long Distance – The purpose of this filing is to change the plan name from AT&T ONE RATE Nationwide 10 Cents Direct to

*AT&T ONE RATE Nationwide Preferred Direct while also increasing the usage rate.*

[Docket No. 19-049-P03](#) – Qwest Corporation dba CenturyLink QC – Exchange and Network Services Price List – This filing is an administrative change adding USOC N2W (Call Waiting Identification) to the business rate page which was erroneously omitted from the prior business rate sheet.

### **Tariff Dockets**

[Docket No. 18-040-T01](#) – Central Utah Telephone, Inc. 's Proposed Tariff Revisions

[Docket No. 18-041-T03](#) – Citizens Telecommunications Company of Utah d/b/a Frontier Communications of Utah 's Tariff Revisions to Include Less Restrictive Language Regarding Frontier Digital Phone Nonrecurring Service Charges

[Docket No. 18-041-T04](#) – Citizens Telecommunications Company of Utah dba Frontier Communications of Utah 's Tariff Revisions to Include Clarifying Language Regarding Frontier Digital Phone Nonrecurring Service Order Charges

[Docket No. 18-042-T01](#) – Emery Telephone 's Proposed Tariff Revisions

[Docket No. 18-042-T02](#) – Emery Telephone 's Proposed Tariff Revisions

[Docket No. 18-050-T02](#) – Navajo Communications Company, Inc. dba Frontier Navajo Communications Company's Tariff Revisions to Include Less Restrictive Language Regarding Frontier Digital Phone Nonrecurring Service Charges

[Docket No. 18-050-T03](#) – Navajo Communications Company, Inc. dba Frontier Navajo Communications Company's Tariff Revisions to Include Clarifying Language Regarding Frontier Digital Phone Nonrecurring Service Order Charges

[Docket No. 18-054-T01](#) – Union Telephone Company's Proposed Tariff Revisions

[Docket No. 18-576-T01](#) – Skyline Telecom's Proposed Tariff Revisions

[Docket No. 18-2201-T01](#) – Bear Lake Communications, Inc. 's Proposed Tariff Revisions

[Docket No. 18-2302-T01](#) – Carbon/Emery Telcom, Inc. 's Proposed Tariff Revisions

[Docket No. 18-2302-T02](#) – Carbon/Emery Telcom, Inc. 's Proposed Tariff Revisions

[Docket No. 18-2303-T01](#) – Hanksville Telcom, Inc. 's Proposed Tariff Revisions

[Docket No. 18-2563-T02](#) – Ionex Communications North, LLC dba Birch Communications ' Request for Company Name Change to Lingo Communications

*North, LLC and Replacement Local and Interexchange and Switched Access Replacement Tariffs*

[Docket No. 19-040-T01](#) – *Central Utah Telephone, Inc.’s Proposed Tariff Revisions*

[Docket No. 19-041-T01](#) – *Citizens Telecommunications Company of Utah dba Frontier Communications of Utah’s Tariff Revisions to Introduce Frontier Digital Phone Unlimited (Challenger) and Frontier Digital Phone Unlimited Plus (Challenger) Bundled Services*

[Docket No. 19-041-T02](#) – *Citizens Telecommunications Company of Utah dba Frontier Communications of Utah’s Tariff Revisions to Grandfather Certain Residential Bundles*

[Docket No. 19-043-T01](#) – *Gunnison Telephone Company’s Proposed Tariff Revisions*

[Docket No. 19-049-T01](#) – *Qwest Corporation dba CenturyLink QC’s Proposed Tariff Revisions*

[Docket No. 19-050-T01](#) – *Navajo Communications Company, Inc. dba Frontier Navajo Communications Company’s Tariff Revisions to Introduce*

*Frontier Digital Phone Unlimited (Challenger) and Frontier Digital Phone Unlimited Plus (Challenger) Residential Bundled Services*

[Docket No. 19-050-T02](#) – *Navajo Communications Company, Inc. dba Frontier Navajo Communications Company’s Tariff Revisions to Grandfather Certain Residential Bundles*

[Docket No. 19-051-T01](#) – *Beehive Telephone Company, Inc.’s Proposed Tariff Revisions*

[Docket No. 19-052-T01](#) – *South Central Utah Telephone Association, Inc.’s Proposed Tariff Revisions*

[Docket No. 19-053-T01](#) – *UBTA-UBET Communications Inc.’s Proposed Tariff Revisions*

[Docket No. 19-054-T01](#) – *Union Telephone Company’s Proposed Tariff Revisions*

[Docket No. 19-576-T01](#) – *Skyline Telecom’s Proposed Tariff Revisions*

[Docket No. 19-2201-T01](#) – *Bear Lake Communications, Inc.’s Proposed Tariff Revisions*

# Telecommunications Companies

## ILECs

### **Albion Telephone Company, Inc. d/b/a ATC Communications**

225 West North Street  
Albion, ID 83311  
Tel: (208) 673-5335  
Fax: (208) 673-6200

### **All West Communications, Inc.**

50 West 100 North  
Kamas, UT 84036-0588  
Tel: (435) 783-4361  
Toll Free: (888) 292-1414  
Fax: (435) 783-4928  
Web: [www.allwest.net](http://www.allwest.net)

### **Bear Lake Communications d/b/a CentraCom Interactive**

35 South State Street  
Fairview, UT 84629  
Tel: (435) 427-3331  
Toll Free: (800) 427-8449  
Fax: (435) 427-3200  
Web: [www.centracom.com](http://www.centracom.com)

### **Beehive Telephone Company, Inc.**

2000 East Sunset Road  
Lake Point, UT 84074  
Tel: (435) 837-6000  
Toll Free: (800) 629-9993  
Fax: (435) 837-6109

### **Carbon - Emery Telcom Inc.**

455 East SR 29  
Orangeville, UT 84537  
Tel: (435) 748-2223

Fax: (435) 748-5001  
Web: [www.emerytelcom.net](http://www.emerytelcom.net)

### **Central Utah Telephone d/b/a CentraCom Interactive**

35 South State Street  
Fairview, UT 84629  
Tel: (435) 427-3331  
Toll Free: (800) 427-8449  
Fax: (435) 427-3200  
Web: [www.centracom.com](http://www.centracom.com)

### **CenturyTel of Eagle, Inc. d/b/a CenturyLink**

100 CenturyLink Drive  
Monroe, LA 71203  
Tel: (318) 388-9081  
Toll Free: (800) 562-3956  
Fax: (318) 340-5244  
Web: [www.centurytel.com](http://www.centurytel.com)

### **Citizens Telecommunications Company of Utah d/b/a Frontier Communications of Utah**

1800 41st Street  
Everett, WA 98201  
Tel: (425) 261-5855  
Toll Free: (888) 340-9545  
Fax: (425) 258-9597  
Web: [www.frontier.com](http://www.frontier.com)

### **Direct Communications Cedar Valley, LLC**

150 South Main  
Rockland, ID 83271  
Tel: (801) 789-2800  
Fax: (801) 789-8119

**Emery Telephone  
d/b/a/ Emery Telcom**  
455 East SR 29  
Orangeville, UT 84537-0550  
Tel: (435) 748-2223  
Fax: (435) 748-5001  
Web: [www.emerytelcom.net](http://www.emerytelcom.net)

**Farmers Telephone Company, Inc.**  
26077 Highway 666  
Pleasant View, CO 81331  
Tel: (970) 562-4211  
Toll Free: (877) 828-8656  
Fax: (970) 562-4214  
Web: [www.farmerstelcom.com](http://www.farmerstelcom.com)

**Gunnison Telephone Company**  
29 South Main Street  
Gunnison, UT 84634  
Tel: (435) 528-7236  
Fax: (435) 528-5558  
Web: [www.gtelco.net](http://www.gtelco.net)

**Hanksville Telcom, Inc.**  
455 East SR 29  
Orangeville, UT 84537  
Tel: (435) 748-2223  
Fax: (435) 748-5222  
Web: [www.emerytelcom.net](http://www.emerytelcom.net)

**Manti Telephone Company**  
40 West Union Street  
Manti, UT 84642  
Tel: (435) 835-3391  
Fax: (435) 835-0008  
Web: [www.mantitel.com](http://www.mantitel.com)

**Navajo Communications Company, Inc. (UTAH)  
d/b/a Frontier Navajo Communications  
Company**  
1800 41st Street  
Everett, WA 98201  
Tel: (425) 261-5855  
Toll Free: (888) 340-9545

Fax: (425) 258-9597  
Web: [www.frontier.com](http://www.frontier.com)

**Qwest Communications, QC  
d/b/a CenturyLink QC**  
1801 California Street, Third Floor  
Denver, CO 80202  
Tel: (801) 237-7200  
Toll Free: (888) 642-9996  
Web: [www.centurylink.com](http://www.centurylink.com)

**Skyline Telecom  
d/b/a CentraCom Interactive**  
35 South State Street  
Fairview, UT 84629  
Tel: (435) 427-3331  
Toll Free: (800) 427-8449  
Fax: (435) 427-3200  
Web: [www.centracom.com](http://www.centracom.com)

**South Central Utah Telephone Association, Inc.  
d/b/a South Central Communications**  
45 North 100 West  
Escalante, UT 84726  
Tel: (435) 826-0225  
Fax: (435) 826-0826  
Web: [www.socen.com](http://www.socen.com)

**UBTA-UBET Communications, Inc.  
d/b/a UBTA Communications, Strata Networks**  
211 East 200 North  
Roosevelt, UT 84066  
Tel: (435) 622-5007  
Fax: (435) 646-2000  
Web: [www.ubtanet.com](http://www.ubtanet.com)

**Union Telephone Company**  
850 North Highway 414  
Mountain View, WY 82939  
Tel: (307) 782-6131  
Toll Free: (800) 646-2355  
Fax: (307) 782-6913  
Web: [www.union-tel.com](http://www.union-tel.com)

## **CLECs**

### **Access One, Inc.**

820 West Jackson Blvd., 6th Floor  
Chicago, IL 60607  
Tel: (269) 381-8888  
Toll-Free: (800) 804-8333  
Fax: (312) 441-1010  
Web: [www.accessoneinc.com](http://www.accessoneinc.com)

### **Access Point, Inc.**

1100 Crescent Green, Ste. 109  
Cary, NC 27518  
Tel: (919) 851-4838  
Toll-Free: (800) 957-6468  
Fax: (919) 851-5422  
Web: [www.accesspointinc.com](http://www.accesspointinc.com)

### **ACN Communications Services, Inc.**

1000 Progress Place  
Concord, NC 28025-2449  
Tel: (704) 260-3000  
Toll-Free: (877) 226-1010  
Fax: (704) 260-3625  
Web: [www.acninc.com](http://www.acninc.com)

### **Affinity Network Incorporated**

250 Pilot Road, Ste. 300  
Las Vegas, NV 89119  
Tel: (407) 260-1011  
Fax: (407) 260-1033  
Web: [www.affinitynetworkinc.com](http://www.affinitynetworkinc.com)

### **Airespring, Inc.**

6060 Sepulveda Blvd., Ste. 220  
Van Nuys, CA 91411  
Tel: (818) 786-8990  
Toll-Free: (888) 389-2899  
Fax: (818) 786-9225  
Web: [www.airespring.com](http://www.airespring.com)

### **Airus, Inc.**

**f/k/a IntelPeer, Inc.**  
222 South Riverside Plaza, Ste. 2730  
Chicago, IL 60607  
Tel: (312) 506-0920

Toll-Free: (888) 380-2721  
Fax: (312) 506-0931  
Web: [www.intelepeer.com](http://www.intelepeer.com)

### **All West Utah, Inc.**

**d/b/a All West World Connect**  
50 West 100 North  
Kamas, UT 84036-0588  
Tel: (435) 783-4361  
Toll-Free: (888) 292-1414  
Fax: (435) 783-4928  
Web: [www.allwest.net](http://www.allwest.net)

### **ANPI Business, LLC**

550 West Adams Street, Ste. 900  
Chicago, IL 60661  
Tel: (866) 629-8200  
Toll-Free: (888) 217-6323  
Web: [www.voyant.com](http://www.voyant.com)

### **AT&T Corp.**

One AT&T Way, Room 2B115E  
Bedminster, NJ 07921  
Tel: (908) 234-7386  
Fax: (908) 532-1808  
Web: [www.att.com](http://www.att.com)

### **Bandwidth.com CLEC, LLC**

900 Main Campus Drive, Ste. 100  
Raleigh, NC 27606  
Tel: (913) 439-3571  
Toll-Free: (855) 513-9666  
Fax: (919) 238-9903  
Web: [www.bandwidthclec.com](http://www.bandwidthclec.com)

### **BCM One, Inc.**

521 5th Avenue, 14th Floor  
New York, NY 10175  
Toll-Free: (888) 543-2000  
Fax: (212) 843-0457  
Web: [www.bcmone.com](http://www.bcmone.com)

### **BCN Telecom, Inc.**

1200 Mt. Kemble Avenue, 3rd Floor

Harding Township, NJ 07960  
Tel: (908) 470-4700  
Fax: (908) 470-4707  
Web: [www.bcentele.com](http://www.bcentele.com)

**Birch Communications, LLC**  
320 Interstate North Parkway SE  
Atlanta, GA 30339  
Tel: (678) 424-2400  
Toll-Free: (866) 424-5100  
Fax: (678) 424-2501  
Web: [www.birch.com](http://www.birch.com)

**Blackfoot Communications, Inc.**  
**d/b/a Blackfoot**  
1221 North Russell Street  
Missoula, MT 59808  
Tel: (406) 541-5000  
Toll-Free: (866) 541-5000  
Fax: (406) 532-1999  
Web: [www.blackfoot.com](http://www.blackfoot.com)

**Bresnan Broadband of Utah, LLC**  
12405 Powerscourt Drive  
St. Louis, MO 63131  
Tel: (314) 965-0555  
Toll-Free: (866) 207-3663  
Fax: (314) 288-3555

**Broadband Dynamics, LLC**  
8757 East Via De Commercio, 1st Floor  
Scottsdale, AZ 85258  
Tel: (480) 941-0444  
Toll-Free: (800) 277-1580  
Fax: (480) 941-1143  
Web: [www.broadbanddynamics.net](http://www.broadbanddynamics.net)

**Broadview Networks, Inc.**  
1018 West 9th Avenue  
King of Prussia, PA 19406  
Tel: (610) 755-4446  
Toll-Free: (800) 276-2384  
Fax: (347) 287-0845  
Web: [www.broadviewnet.com](http://www.broadviewnet.com)

**Broadvox-CLEC, LLC**  
550 West Adams Street, Ste. 900  
Chicago, IL 60661  
Toll-Free: (844) 276-2386  
Fax: (312) 346-2601  
Web: [www.broadvox.com](http://www.broadvox.com)

**Broadweave Networks of Utah, LLC**  
744 North 300 West  
Provo, UT 84601  
Tel: (801) 691-5800  
Fax: (801) 307-1104

**BT Communications Sales, LLC**  
**a/k/a Concert Communications Sales, LLC**  
11440 Commerce Park Drive, Ste. 1000  
Reston, VA 20191  
Tel: (703) 755-6733  
Toll-Free: (866) 221-8623  
Fax: (703) 755-6740  
Web: [www.btna.com](http://www.btna.com)

**BullsEye Telecom, Inc.**  
25925 Telegraph Road, Ste. 210  
Southfield, MI 48033  
Tel: (248) 784-2500  
Toll-Free: (877) 638-2855  
Fax: (248) 784-2501  
Web: [www.bullseyetelecom.com](http://www.bullseyetelecom.com)

**CBTS Technology Solutions, Inc.**  
221 East Fourth Street, Ste. 103-1290  
Cincinnati, OH 45202  
Tel: (513) 397-7772

**Central Telcom Services, LLC**  
**d/b/a CentraCom Interactive**  
35 South State Street  
Fairview, UT 84629  
Tel: (435) 427-3331  
Toll-Free: (800) 427-8449  
Fax: (435) 427-3200  
Web: [www.cutel.com](http://www.cutel.com)



**Citizens Telecommunications Company of Utah**

**d/b/a Frontier Communications of Utah**

1800 41st Street  
Everett, WA 98201  
Tel: (425) 261-5855  
Toll-Free: (888) 340-9545  
Fax: (425) 258-9597  
Web: [www.frontier.com](http://www.frontier.com)

**Clear Rate Communications, Inc.**

2600 West Big Beaver Road, Ste. 450  
Troy, MI 48048  
Tel: (248) 556-4500  
Toll-Free: (877) 877-4799  
Fax: (248) 556-4501  
Web: [www.clearrate.com](http://www.clearrate.com)

**Comcast Phone of Utah, LLC**

One Comcast Center  
Philadelphia, PA 19103  
Tel: (215) 286-8667  
Toll-Free: (800) 288-2085  
Fax: (215) 286-8414  
Web: [www.comcast.com](http://www.comcast.com)

**Comtech21, LLC**

One Barnes Park South  
Wallingford, CT 06492  
Tel: (203) 679-7000  
Fax: (203) 679-7387

**Crexendo Business Solutions, Inc.**

1615 South 52nd Street  
Tempe, AZ 85281  
Tel: (602) 903-7271  
Web: [www.crexendo.com](http://www.crexendo.com)

**dishNet Wireline, LLC**

**f/k/a Liberty-Bell Telecom, LLC**

2460 West 26th Avenue, Ste. #380-C  
Denver, CO 80211  
Tel: (303) 831-1977  
Toll-Free: (866) 664-2355  
Fax: (303) 831-1988  
Web: <http://bundles.dish.com>

**EarthLink, LLC**

4001 N. Rodney Parham Rd.  
Little Rock, AR 72212  
Tel: (501) 748-7000  
Toll-Free: (800) 347-1991  
Web: [www.windstream.com](http://www.windstream.com)

**Easton Telecom Services, LLC**

Summit II Unit A, 3040 Brecksville Road  
Richfield, OH 44286  
Tel: (330) 659-6700  
Toll-Free: (800) 222-8122  
Fax: (330) 659-9379  
Web: [www.eastontele.com](http://www.eastontele.com)

**Electric Lightwave, LLC**

265 East 100 South, Ste. 100  
Salt Lake City, UT 84111  
Tel: (801) 746-2000  
Toll-Free: (888) 746-2150  
Fax: (801) 505-4200  
Web: [www.integratelecom.com](http://www.integratelecom.com)

**Emery Telecommunications & Video, Inc.**

455 East SR 29  
Orangeville, UT 84537-0550  
Tel: (435) 748-2223  
Fax: (435) 748-5001  
Web: [www.etv.net](http://www.etv.net)

**EnTelegent Solutions, Inc.**

2520 Whitehall Park Drive, Ste. 200  
Charlotte, NC 28273  
Tel: (704) 323-7488  
Toll-Free: (800) 975-7192  
Fax: (704) 504-5868  
Web: [www.entelegent.com](http://www.entelegent.com)

**Eschelon Telecom of Utah, Inc.**

**d/b/a Integra Telecom**

265 East 100 South, Ste. 200  
Salt Lake City, UT 84111  
Tel: (801) 746-2000  
Toll-Free: (888) 746-2159

Fax: (801) 505-4200  
Web: [www.eschelon.com](http://www.eschelon.com)

**ExteNet Systems, Inc.**  
3030 Warrenville Road, Ste. 340  
Lisle, IL 60532  
Tel: (630) 505-3800  
Fax: (630) 577-1365  
Web: [www.extenetsystems.com](http://www.extenetsystems.com)

**FirstDigital Telecom, LLC**  
90 South 400 West, Ste. M-100  
Salt Lake City, UT 84101  
Tel: (801) 456-1000  
Toll-Free: (800) 540-9789  
Fax: (801) 456-1010  
Web: [www.firstdigital.com](http://www.firstdigital.com)

**France Telecom Corporate Solutions, LLC**  
13775 McLearen Road, Mail Stop 1100  
Oak Hill, PA 20171-3212  
Tel: (703) 375-7323  
Toll-Free: (866) 280-3726  
Fax: (703) 925-4712

**Frontier Communications of America, Inc.**  
1800 41st Street, Floor #5, Room 33  
Everett, WA 98201  
Tel: (570) 631-5003  
Fax: (570) 631-8026

**GC Pivotal, LLC**  
200 South Wacker Drive, Ste. 1650  
Chicago, IL 60606  
Tel: (312) 673-2400  
Toll-Free: (866) 226-4244  
Fax: (312) 673-2422

**Global Connection of America, Inc.**  
5555 Oakbrook Parkway, Ste. 620  
Norcross, GA 30093  
Tel: (678) 741-6200

Toll-Free: (877) 511-3009  
Fax: (678) 458-6773

**Global Crossing Local Services, Inc.**  
1025 Eldorado Blvd.  
Broomfield, CO 80021  
Tel: (720) 888-1000  
Toll-Free: (877) 453-8353  
Fax: (720) 225-5877  
Web: [www.globalcrossing.com](http://www.globalcrossing.com)

**Granite Telecommunications, LLC**  
100 Newport Avenue Extension  
Quincy, MA 02171  
Tel: (866) 847-1500  
Fax: (866) 847-5500  
Web: [www.granitenet.com](http://www.granitenet.com)

**Greenfly Networks, Inc.  
d/b/a Clearfly Communications**  
550 South 24th Street West, Ste. 201  
Billings, MT 59102  
Tel: (406) 580-4530  
Toll-Free: (866) 652-7520  
Fax: (406) 869-4614  
Web: [www.clearfly.net](http://www.clearfly.net)

**IDT America Corp.**  
520 Broad Street, 17th Floor  
Newark, NJ 07102  
Tel: (973) 428-4854  
Toll-Free: (800) 888-9126  
Fax: (973) 438-1455

**Impact Telecom, Inc.**  
9250 East Costilla Ave, Ste. 400  
Greenwood Village, CO 80112  
Tel: (303) 779-5700  
Toll-Free: (866) 557-8919  
Fax: (303) 779-0500

**inCONTACT, Inc.  
d/b/a United Carrier Networks**  
75 West Town Ridge Parkway, Tower 1  
Sandy, UT 84070  
Tel: (866) 541-0000

Toll-Free: (800) 669-3319  
Fax: (866) 800-0007  
Web: [www.inContact.com](http://www.inContact.com)

**iNetworks Group, Inc.**  
125 South Wacker Drive, Ste. 2510  
Chicago, IL 60606  
Tel: (312) 212-0822  
Toll-Free: (866) 409-2826  
Fax: (312) 422-9201  
Web: [www.inetworksgroup.com](http://www.inetworksgroup.com)

**Integra Telecom of Utah, Inc.**  
18110 SE 34th Street, Bldg. One, Ste. 100  
Vancouver, WA 98683  
Tel: (360) 558-6900  
Toll-Free: (866) 468-3472  
Web: [www.integratelecom.com](http://www.integratelecom.com)

**InTTec, Inc.**  
1001 South Douglas Highway, Ste. 201  
Gillette, WY 82717-2799  
Tel: (307) 685-5536  
Toll-Free: (888) 682-1884  
Fax: (307) 682-2519  
Web: [www.inttec.biz](http://www.inttec.biz)

**Ionex Communications North, Inc.**  
**d/b/a Birch Communications**  
2300 Main Street, Ste. 340  
Kansas City, MO 64108  
Tel: (816) 300-3000  
Toll-Free: (888) 772-4724  
Fax: (816) 300-3350  
Web: [www.birch.com](http://www.birch.com)

**IPDataStream, LLC**  
4000 SE International Way, Ste. F204  
Milwaukie, OR 97222  
Tel: (503) 205-4767  
Toll-Free: (877) 255-4767  
Fax: (866) 912-4768  
Web: [www.ipdatastream.com](http://www.ipdatastream.com)

**Level 3 Communications, LLC**  
1025 Eldorado Blvd.

Broomfield, CO 80021-8869  
Tel: (720) 888-1000  
Toll-Free: (877) 453-8353  
Fax: (720) 225-5877  
Web: [www.level3.com](http://www.level3.com)

**Level 3 Telecom of Utah, LLC**  
1025 Eldorado Blvd.  
Broomfield, CO 80021-8869  
Tel: (720) 888-1000  
Toll-Free: (877) 453-8353  
Fax: (720) 255-5877  
Web: [www.level3.com](http://www.level3.com)

**Local Access, LLC**  
11442 Lake Butler Boulevard  
Windermere, FL 34786  
Toll-Free: (866) 841-7898  
Fax: (888) 315-4278  
Web: [www.localaccessllc.com](http://www.localaccessllc.com)

**Magna5, LLC**  
2828 North Harwood St, Ste. 1700  
Dallas, TX 75201  
Tel: (214) 932-9293

**Matrix Telecom, LLC**  
**d/b/a Matrix Business Technologies**  
**d/b/a Excel Telecommunications**  
**d/b/a Trinsic Communications**  
**d/b/a Vartec Telcom**  
433 East Las Colinas Blvd., Ste. 500  
Irving, TX 75039  
Tel: (972) 910-1900  
Toll-Free: (888) 411-0111  
Fax: (866) 418-9750  
Web: [www.impacttelecom.com](http://www.impacttelecom.com)

**MCI Communications Services, Inc.**  
**d/b/a Verizon Business Services**  
5055 North Point Parkway, 2nd Floor  
Alpharetta, GA 30022  
Tel: (678) 259-1749  
Toll-Free: (888) 605-0469  
Fax: (800) 854-7960  
Web: [www.verizon.com](http://www.verizon.com)

**MCImetro Access Transmission Services Corp.**

5055 North Point Parkway, 2nd Floor  
Alpharetta, GA 30022  
Tel: (678) 259-1749  
Toll-Free: (888) 605-0469  
Fax: (800) 854-7960  
Web: [www.mci.com](http://www.mci.com)

**McLeod USA Telecommunications Services, LLC**

**d/b/a Paetec Business Services**  
4001 N. Rodney Parham Rd.  
Little Rock, AR 72212  
Tel: (501) 748-7000  
Toll-Free: (800) 347-1991  
Web: [www.windstream.com](http://www.windstream.com)

**MegaPath Corporation**

2220 O'Teele Avenue  
San Jose, CA 95131  
Tel: (408) 616-6400  
Fax: (408) 952-7539  
Web: [www.megapath.com](http://www.megapath.com)

**Metropolitan Telecomm of Utah, Inc.**

**d/b/a MetTel**  
55 Water Street, 31st Floor  
New York, NY 10041  
Tel: (212) 607-2004  
Toll-Free: (800) 876-9823  
Fax: (212) 635-5074  
Web: [www.mettelagents.com](http://www.mettelagents.com)

**Mitel Cloud Services, Inc.**

7300 West Boston Street  
Chandler, AZ 85226-3229  
Tel: (602) 253-6004  
Toll-Free: (800) 894-7026  
Fax: (602) 798-7000  
Web: [www.mitel.com](http://www.mitel.com)

**Mobilitie, LLC**

660 Newport Center Drive, Ste. 200  
Newport Beach, CA 92660  
Tel: (949) 717-6023

Toll-Free: (877) 999-7070  
Web: [www.mobilities.com](http://www.mobilities.com)

**Neighborhood Networks, Inc.**

P.O. Box 970968  
Orem, UT 84097  
Tel: (801) 609-7900  
Toll-Free: (844) 889-6641  
Fax: (801) 852-0228  
Web: [www.neighborhoodnetworks.com](http://www.neighborhoodnetworks.com)

**Net Talk.com, Inc.**

1100 NW 163rd Drive  
North Miami, FL 33169  
Tel: (305) 621-1200  
Fax: (305) 621-1201  
Web: [www.nettalk.com](http://www.nettalk.com)

**Neutral Tandem-Utah, LLC**

550 West Adams Street, Ste. 900  
Chicago, IL 60661  
Tel: (312) 384-8000  
Toll-Free: (866) 388-7251  
Fax: (312) 346-3276  
Web: [www.neutraltandem.com](http://www.neutraltandem.com)

**New Horizons Communications Corp.**

420 Bedford St, Ste. 250  
Lexington, MA 02420  
Tel: (339) 222-7518

**NextGen Communications, Inc.**

275 West Street, Ste. 400  
Annapolis, MD 21401  
Tel: (410) 349-7097  
Toll-Free: (800) 959-3749  
Fax: (410) 295-1884  
Web: [www.telecomsys.net](http://www.telecomsys.net)

**North County Communications Corp.**

3802 Rosecrans Street, Ste. 485  
San Diego, CA 92110  
Tel: (619) 364-4750  
Toll-Free: (619) 364-4700  
Fax: (619) 364-4710  
Web: [www.nccom.com](http://www.nccom.com)

**Onvoy, LLC**  
**d/b/a Onvoy Voice Services**  
550 West Adams St., Ste. 900  
Chicago, IL 60661  
Tel: (736) 230-2036  
Toll-Free: (800) 933-1224  
Fax: (736) 230-4200  
Web: [www.inteliquent.com](http://www.inteliquent.com)

**PAETEC Communications, LLC**  
4001 N. Rodney Parham Rd.  
Little Rock, AR 72212  
Tel: (501) 748-7000  
Toll-Free: (800) 347-1991  
Web: [www.windstream.com](http://www.windstream.com)

**Peerless Network of Utah, LLC**  
222 South Riverside Plaza, Ste. 2730  
Chicago, IL 60606  
Tel: (407) 260-1011  
Fax: (407) 260-1033

**Preferred Long Distance, Inc.**  
**d/b/a Telpex Communications**  
**d/b/a Ringplanet**  
16830 Ventura Blvd., Ste. 350  
Encino, CA 91436-1716  
Tel: (818) 380-9090  
Toll-Free: (888) 235-2026  
Fax: (818) 380-9099  
Web: [www.pldtel.com](http://www.pldtel.com)

**Prestige Broadband, LLC**  
224 South Main St, Ste. 535  
Springville, UT 84663  
Tel: (801) 210-2099  
Toll-Free: (888) 783-3327  
Web: [www.prestigebroadband.com](http://www.prestigebroadband.com)

**QuantumShift Communications, Inc.**  
**d/b/a vCom Solutions**  
12657 Alcosta Blvd., Ste. 418  
San Ramon, CA 94583  
Tel: (415) 209-7044  
Toll-Free: (800) 804-8266

Fax: (415) 415-1458  
Web: [www.quantumshift.com](http://www.quantumshift.com)

**Qwest Communications Company, LLC**  
**d/b/a CenturyLink QCC**  
1801 California Street, Third Floor  
Denver, CO 80202  
Tel: (303) 992-1400  
Toll-Free: (800) 362-1228  
Fax: (303) 296-2782  
Web: [www.qwest.com](http://www.qwest.com)

**RCLEC, Inc.**  
20 Davis Drive  
Belmont, CA 94002  
Tel: (650) 472-4100  
Toll-Free: (888) 898-4591  
Fax: (888) 528-7464

**Redline Phone, Inc.**  
2706 Decker Lake Blvd, Ste. 100  
West Valley City, UT 84119  
Tel: (801) 217-9000  
Web: [www.redlinephone.com](http://www.redlinephone.com)

**Sorenson Communications, Inc.**  
4192 South Riverboat Road  
Salt Lake City, UT 84123  
Tel: (801) 287-9400  
Fax: (801) 281-3294  
Web: [www.sorenson.com](http://www.sorenson.com)

**South Central Communications Telecom Services, LLC**  
45 North 100 West  
Escalante, UT 84726  
Tel: (435) 826-4211  
Fax: (435) 826-4900  
Web: [www.socen.com](http://www.socen.com)

**Spectrotel, Inc.**  
**d/b/a OneTouch Communications**  
**d/b/a Touch Base Communications**  
3535 State Highway 66, Ste. 7  
Neptune, NJ 07753  
Tel: (732) 345-7000

Toll-Free: (888) 700-5830 (Residential)  
Fax: (732) 345-7893  
Web: [www.spectrotel.com](http://www.spectrotel.com)

**Sprint Communications Company LP**  
6200 Sprint Parkway  
Overland Park, KS 66251  
Toll-Free: (800) 829-0965  
Web: [www.sprint.com](http://www.sprint.com)

**SummitIG, LLC**  
22375 Broderick Dr., Ste. 165  
Dulles, VA 20166  
Tel: (703) 376-3694  
Fax: (703) 652-0743  
Web: [www.summitig.com](http://www.summitig.com)

**Talk America Services, LLC**  
10802 Executive Center Drive  
Benton Building, Ste. 300  
Little Rock, AR 72211  
Tel: (501) 748-5870  
Toll-Free: (855) 546-5500  
Fax: (330) 425-0881  
Web: [www.talkamericaservices.com](http://www.talkamericaservices.com)

**Teleport Communications America, Inc.**  
One AT&T Way, Room 2B115E  
Bedminster, NJ 07921  
Tel: (908) 234-7386  
Toll-Free: (888) 227-3824  
Fax: (908) 532-1808  
Web: [www.att.com](http://www.att.com)

**Telequality Communications, Inc.**  
16601 Blanco Road  
San Antonio, TX 78232  
Tel: (210) 481-5499  
Fax: (210) 408-1700  
Web: [www.telequality.com](http://www.telequality.com)

**TeliAx, Inc.**  
2150 W 29<sup>th</sup> Ave., Ste. 200  
Denver, CO 80211  
Tel: (303) 629-8301  
Toll-Free: (888) 483-5429

Fax: (303) 629-8344  
Web: [www.teliAx.com](http://www.teliAx.com)

**Teltrust Corporation**  
3783 South 500 West, Ste. 6  
Salt Lake City, UT 84115  
Tel: (801) 260-9020  
Toll-Free: (866) 260-9020  
Fax: (801) 265-8181  
Web: [www.teltrust.com](http://www.teltrust.com)

**Velocity The Greatest Phone Company  
Ever, Inc.**  
7130 Spring Meadows Drive West  
Holland, OH 43528-9296  
Tel: (419) 868-9983  
Toll-Free: (800) 983-5624  
Fax: (419) 868-9986  
Web: [www.velocity.org](http://www.velocity.org)

**Veracity Networks, LLC**  
357 S. 670 W., Ste. 300  
Lindon, UT 84042  
Tel: (801) 379-3000  
Fax: (801) 373-0682  
Web: [www.veracitynetworks.com](http://www.veracitynetworks.com)

**Vesta Solutions, Inc.**  
42555 Rio Nedo  
Temecula, CA 92590  
Tel: (951) 719-2120  
Toll-Free: (800) 491-1734  
Fax: (951) 296-2727  
Web: [www.vestapublicsafety.com](http://www.vestapublicsafety.com)

**Vitcom, LLC**  
4118 – 14th Avenue, Ste. 101  
Brooklyn, NY 11219  
Tel: (212) 571-4000  
Toll-Free: (877) 766-1199

**Western Safety Communications, Inc.  
f/k/a Intrado Communications, Inc.**  
1601 Dry Creek Drive  
Longmont, CO 80503  
Tel: (720) 494-5800

Fax: (720) 494-6600  
Web: [www.intrado.com](http://www.intrado.com)

**Wholesale Carrier Services, Inc.**

5471 North University Drive  
Coral Springs, FL 33067  
Tel: (954) 227-1700  
Toll Free: (888) 940-5600  
Fax: (561) 750-7244  
Web: <http://www.wcs.com/>

**Wide Voice, LLC**

410 South Rampart, Ste. 390  
Las Vegas, NV 89145  
Tel: (702) 553-3007  
Toll-Free: (844) 844-8444  
Fax: (702) 825-2582  
Web: [www.widevoice.com](http://www.widevoice.com)

**WilTel Communications, LLC**

1025 Eldorado Blvd.  
Broomfield, CO 80021-8869  
Tel: (720) 888-1000  
Toll-Free: (877) 453-8353  
Fax: (720) 225-5877  
Web: [www.level3.com](http://www.level3.com)

**WiMacTel, Inc.**

**d/b/a Intellicall Operator Services of North America**

2225 East Bayshore Road, Ste. 200  
Palo Alto, CA 94303  
Tel: (800) 820-4680  
Toll-Free: (888) 476-0881  
Fax: (877) 476-0890  
Web: [www.wimactel.com](http://www.wimactel.com)

**Windstream NuVox, LLC**

4001 North Rodney Parham  
Little Rock, AR 72212  
Tel: (501) 748-7000  
Web: [www.windstream.com](http://www.windstream.com)

**Xmission Networks, LLC**

51 East 400 South, Ste. 100  
Salt Lake City, UT 84111  
Tel: (801) 539-0852  
Toll-Free: (877) 964-7746  
Fax: (801) 539-0853  
Web: [www.xmission.com](http://www.xmission.com)

**XO Communications Services, LLC**

13865 Sunrise Valley Road  
Herndon, VA 20171  
Tel: (703) 547-2000  
Toll-Free: (888) 575-6398  
Fax: (703) 547-2881  
Web: [www.xo.com](http://www.xo.com)

**XYN Communications of Utah, LLC**

8275 South Eastern Avenue, Ste. 200  
Las Vegas, NV 89123  
Tel: (504) 832-1894

**YipTel, LLC**

9176 South 300 West, Ste. 1  
Sandy, UT 84070  
Tel: (801) 975-7466  
Fax: (801) 975-2233  
Web: [www.yiptel.com](http://www.yiptel.com)

**YMax Communications Corp.**

5700 Georgia Avenue  
Palm Beach, FL 33405  
Tel: (561) 290-8336  
Toll-Free: (888) 370-5005  
Fax: (561) 586-2328  
Web: [www.ymaxcorp.com](http://www.ymaxcorp.com)

**Zayo Group, Inc.**

400 Centennial Parkway, Ste. 200  
Louisville, CO 80027  
Tel: (303) 381-4683  
Toll-Free: (800) 390-6094  
Fax: (303) 226-5922  
Web: [www.zayo.com](http://www.zayo.com)

## **ETCs**

### **Assist Wireless, LLC**

2330 Gravel Drive  
Fort Worth, TX 76116  
Tel: (855) 392-7747  
Web: [www.assistwireless.com](http://www.assistwireless.com)

### **Blue Jay Wireless, LLC**

5010 Addison Circle  
Addison, TX 75001  
Tel: (972) 788-8860  
Web: [www.bluejaywireless.com](http://www.bluejaywireless.com)

### **Budget Prepay, Inc.**

**d/b/a Budget Mobile**  
1325 Barksdale Blvd., Ste. 200  
Bossier City, LA 71111  
Tel: (407) 740-8575

### **Cricket Communications, Inc.**

10307 Pacific Center Ct.  
San Diego, CA 92121  
Tel: (858) 882-6000  
Fax: (858) 882-6010  
Web: [www.mycricket.com](http://www.mycricket.com)

### **Global Connect, Inc.**

**d/b/a Stand Up Wireless**  
5555 Oakbrook Parkway, Ste. 620  
Norcross, Georgia 30093  
Tel: (678) 741-6200  
Toll-Free: (800) 544-4441  
Fax: (678) 741-6333  
Web: [www.standupwireless.com](http://www.standupwireless.com)

### **iWireless, LLC**

1 Levee Way, Ste. 3104

Newport, KY 41071

Tel: (770) 956-7525  
Web: [www.iwireless.com](http://www.iwireless.com)

### **Q Link Wireless, LLC**

499 Sheridan Street, Ste. 300  
Dania, FL 33004  
Tel: (678) 672-2837  
Web: [www.qlinkwireless.com](http://www.qlinkwireless.com)

### **Telrite Corporation**

**d/b/a Life Wireless**  
4113 Monticello Street  
Covington, GA 30014  
Web: [www.telrite.com](http://www.telrite.com)

### **Tempo Telecom, LLC**

2323 Grand Blvd, Ste. 925  
Kansas City, MO 64108

### **TracFone Wireless, Inc.**

**d/b/a Safelink Wireless**  
9700 North West 112th Avenue  
Miami, FL 33178  
Tel: (305) 715-3733  
Web: [www.tracfone.com](http://www.tracfone.com)

### **Virgin Mobile USA, L.P.**

**d/b/a Assurance Wireless**  
6391 Sprint Parkway  
Mailstop: KSOPHT0101-Z2400  
Overland Park, KS 66251  
Tel: (913) 762-5929  
Fax: (908) 607-4823  
Web: [www.virginmobileusa.com](http://www.virginmobileusa.com)



# Relay Utah Overview

## **Telecommunications Relay Service & Equipment Distribution Program**

The PSC began administering the Relay Utah program in 1987 with the goal of providing telecommunications access and equipment to those who are deaf, hard of hearing, and speech-challenged. Through the Relay Utah program, those with hearing or speech challenges have multiple service and equipment options including video relay, internet protocol relay, captioned telephones, application software, amplified telephones, and wireless devices. Relay services have expanded to include Spanish language, Speech-to-Speech, Voice Carry Over (VCO), Captioned Telephone (CapTel), and Hearing Carry Over (HCO).

## **Funding**

The PSC uses funds from the UUSF to administer the Relay Utah program. Expenditures for FY 2019 totaled \$781,395 and were used for the following purposes:

1. Purchase and distribution of telecommunications devices.
2. Providing Telecommunications Relay Services (TRS) and Captioned Telephone Services (CTS) for individuals who are deaf, hard of hearing, or speech challenged.
3. General program administration.
4. Training individuals as certified sign language interpreters.

## **Consumer Education**

The PSC collaborates with Penna Powers Brian & Haynes (PPBH) for marketing, outreach, public relations, education, and grassroots activities for relay services and equipment distribution. Each year, PPBH and the PSC utilize print, television, and social media advertising to raise awareness of Relay Utah. The PSC contracts with Sprint Relay for its TRS and CTS. Sprint Relay provides a full-time in-state coordinator who provides outreach and information.

## **Outreach Activities**

Outreach events provide educational information on Relay Utah concerning equipment and service options for the deaf, hard of hearing, and speech-challenged community.

Highlights of outreach activities include the following events:

06/20/2019 Central Davis Senior Healthy Aging Fair

06/15/2019 Spanish Fork Health & Wellness Fair

05/23/2019 Golden Hours Health Fair

05/20/2019 Draper Senior Center Health Fair

05/18/2019 HLAA Walk for Hearing –Walk and Booth

05/16/2019 AUCH Primary Care Conference

05/16/2019 211 United Way/Department of Workforce Services Resource Fair

05/15/2019 Brigham City Senior Center Health and Wellness Fair

05/14/2019 Utah Assisted Living Association Conference

05/10/2019 Riverdale Senior Center Health Fair

05/08/2019 Utah Association for Home Health Care State Convention

05/03/2019 Seniors Helping Seniors Presentation

05/02/2019 Age Wise Conference

04/27/2019 Sage Senior Health Fair

04/25/2019 Beaver County Health Fair

04/23/2019 Tenth East & Liberty Senior Center

04/18/2019 Utah Aging Alliance Conference

04/08/2019 Jordan School District presentation to speech-language pathologists

04/03/2019 Mt. Olympus Senior Center

04/04/2019 Murray Library

04/03/2019 Intermountain Senior Clinic  
03/27/2019 Tremonton Senior Health Fair  
03/26/2019 Riverton Senior Health & Wellness Fair  
03/22/2019 St. George Wellness Expo  
02/28/2019 USHA Conference  
02/18/2019 South Jordan Health & Wellness Fair  
01/19/2019 Lehi Legacy Health Fair  
11/16/2018 Kearns Center Health Fair  
11/03/2018 Mountainland Aging Caregiver Conference  
11/02/2018 Sanderson Center Bazaar  
10/23/2018 River's Bend Harvest Festival  
10/16/2018 Friendly Neighborhood and Columbus Senior Health Fair  
10/12/2018 Midvale Senior Expo  
10/11/2018 Mountainland Aging Annual Senior Fair  
10/04/2018 Senior Expo and Genealogy Roots Conference  
09/29/2018 Tooele Senior Expo  
09/27/2018 South Jordan Health Fair  
09/25/2018 West Jordan Chamber of Commerce  
09/20/2018 North View Senior Center Health Fair  
09/19/2018 Utah Health Care Association Fall Convention and Showcase  
09/18/2018 Magna Kennecott Senior Center Decathlon  
09/13/2018 Millcreek Senior Center and Resource Fair  
09/11/2018 West Jordan Senior Health Fair

08/28/2018 Taylorsville Senior Center Health Fair

08/25/2018 Be Well Utah Health Fair

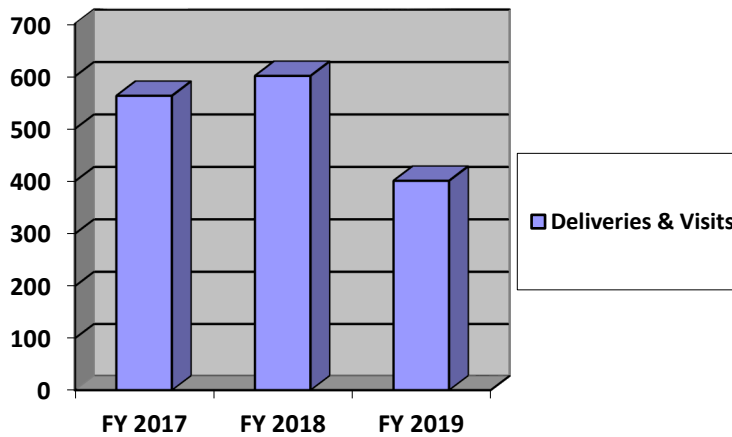
08/13/2018 West Valley City Senior Safety & Health Fair

08/09/2018 Bluffdale Old West Days

### **Equipment Training and Distribution**

The PSC employs one full-time and three part-time employees who provide equipment distribution, training, repairs, and outreach throughout Utah. To provide effective services, employees respond to requests by phone, email, and text regarding questions on equipment and training. This approach has improved customer service and reduced unnecessary on-site visits.

The Relay Utah equipment and training distribution program provided telecommunications equipment distribution, troubleshooting, and training for 400 clients in FY 2019. The following graph is a three-year history of the equipment training and distribution program.



### **Sign Language Interpreting Training Program**

Utah law states, “an individual is required to be certified as a certified interpreter if that individual provides interpreter services” (Utah Code Ann. § 35A-13-605).

On January 1, 2019, the PSC entered into a five-year contract with Utah State University to train individuals as certified sign language interpreters. The goal is to train up to 150 interpreters over the term of the contract.

## **Community Feedback**

Utah Code Ann. § 54-8b-10(7) states, “The [PSC] shall solicit advice, counsel, and physical assistance from deaf, hard of hearing, or severely speech impaired individuals and the organizations serving [them] in the design and implementation of the program.” The PSC hosts quarterly meetings with the Relay Utah Consumer Council (RUCC). The RUCC is comprised of representatives of different groups or organizations including individuals who are deaf, hard of hearing, or speech challenged; and individuals who use the services provided by the PSC. The RUCC meetings are held in conjunction with Sprint Relay for members to actively provide feedback and ideas of how to best meet the needs of Relay consumers in Utah.

## **Mobile Device Program**

The PSC extended the mobile device pilot program that provides specialized mobile and tablet devices for individuals who are deaf, hard of hearing, and speech challenged. The pilot program shall terminate no later than December 31, 2021. The PSC approved five applications during FY 2019.

## **Relay Utah Website**

[Relay.utah.gov](http://Relay.utah.gov) provides calendar information for upcoming events and an online appointment system for individuals desiring to review and test telecommunications equipment at the Relay Utah demo room. The website includes applications and a list of available telecommunications equipment commonly distributed by Relay Utah. Relay Utah also maintains a Facebook page.

## **Relay Utah Demo Room**

To assist individuals with hearing issues, the Relay Utah office, located at 168 N. 1950 W., Salt Lake City, has a demo room that contains an induction audio loop system that assists individuals who use hearing aids or cochlear implants with telecoil (t-coil) capability. The demo room is open to the public and has various types of phones for testing. During FY 2019, 63 visits were accommodated in the demo room. The Robert G. Sanderson Community Center in Taylorsville and its satellite office in St. George also have demo rooms.

# Water Utilities Overview

Most Utahns receive culinary water from municipal systems, quasi-governmental special improvement districts, or water districts, none of which are subject to PSC regulation. Similarly, the PSC does not regulate irrigation water that is delivered by irrigation cooperatives in Utah. However, the PSC is charged by the legislature with regulating private water companies so as to ensure their customers have access to safe and reliable water service at just and reasonable rates.

## Water Companies

Most private water companies are established as non-profit cooperatives, with control and ownership of the company transferring to the lot owners as the lots are sold. The PSC must exercise its jurisdiction as long as a developer retains effective voting control of the water company. Once the lot owners/water users attain voting control, the PSC must relinquish jurisdiction.

The PSC adjudicates the status of a water company informally unless that status is contested. While a company is subject to PSC jurisdiction, it is required to hold a Certificate of Public Convenience and Necessity (CPCN), to maintain a tariff, and to obtain approval from the PSC for all rates. A company that is verified to be a customer-owned and operated cooperative is issued an informal letter of exemption.

## PSC Jurisdiction

As with other utilities, the PSC exercises regulatory jurisdiction over rates and changes in tariffs. Rate cases in the water context are relatively infrequent and are usually resolved collaboratively. The PSC also adjudicates consumer complaints regarding water companies, as it does with other utilities.

## FY 2019 Activities

During FY 2019, the PSC approved two requests for exemption from PSC regulation (Summit Vista Water Company – Exemption No. 235, and Wilson Arch Water and Sewer Company – Exemption No. 236); addressed a tariff issue related to a general rate case (WaterPro, Inc.); and canceled one CPCN due to the sale of the water company to a special service district (Canaan Springs Water Company). In addition, the PSC opened a docket to investigate compliance issues related to two complaints against South Duchesne Culinary Water, Inc. filed in 2017. This investigation continues into FY 2020.

## **WATER DOCKETS**

[Docket No. 16-2443-01](#) – *In the Matter of WaterPro Inc. 's Application for Culinary Water Rate Case*

[Docket No. 17-2372-01](#) – *Formal Complaint of Tanya Olsen against South Duchesne Culinary Water*

[Docket No. 17-2372-02](#) – *Formal Complaint of Shane Houskeeper against South Duchesne Culinary Water, Inc.*

[Docket No. 18-098-01](#) – *Request of Community Water Company for Exemption*

[Docket No. 18-2372-01](#) – *Investigation of South Duchesne Culinary Water, Inc. 's Compliance with Applicable Administrative Rules and Tariff*

[Docket No. 18-2605-01](#) – *Request of Wilson Arch Water and Sewer Company for Letter of Exemption*

[Docket No. 18-2606-01](#) – *Application of McBride Enterprises/Pine Meadows PUD for Exemption*

[Docket No. 19-2498-01](#) – *Notice of Sale of Canaan Springs Water Company*



# Water Companies

**Bridgerland Water Company, Inc.**

Bridgerland Village  
Garden City, UT 84028  
Tel: (435) 757-6840  
Fax: (435) 755-3009

**Cedar Ridge Distribution Company**

12435 North Hillcrest Drive  
Deweyville, UT 84309  
Tel: (435) 257-7152

**Community Water Company, LLC**

1840 Sun Peak Drive  
Park City, UT 84098  
Tel: (435) 200-8400  
Fax: (435) 200-8454

**Coyotes-N-Cowboys Linecamp  
Subdivision, LLC**

1770 South SR 22  
Antimony, UT 84712  
Tel: (435) 624-3216  
Fax: (435) 624-3211

**Dammeron Valley Water Works, LLC**

1 Dammeron Valley Drive East  
Dammeron Valley, UT 84783  
Tel: (435) 574-2295  
Fax: (435) 656-0504

**Eagle's Landing Water Company, LLC**

9155 North Cedar Pass Road  
Eagle Mountain, UT 84005  
Tel: (801) 794-9559  
Fax: (801) 794-9669

**Elk Ridge Estates Water Company**

P.O. Box 100013  
Alton, UT 84710  
Tel: (435) 648-2464  
Fax: (800) 299-6201

**Falcon Crest Water Company, LLC**

C/O Lone Peak Realty & Management  
4115 South 430 East, Ste. 201  
Salt Lake City, UT 84107  
Tel: (801) 268-1087  
Fax: (801) 262-7937

**Grand Staircase Water Company, LLC**

101 Larkspur Landing Circle, Ste. 310  
Larkspur, CA 94939  
Tel: (415) 925-8000

**Harmony Mountain Ranch Water  
Company**

2116 North Canyon Greens Drive  
Washington, UT 84780  
Tel: (435) 531-1717  
Fax: (435) 627-9383



**Hi-Country Estates Homeowners Association**  
d/b/a Hi-Country Estates Phase #1 Water Company  
124 Hi-Country Road  
Herriman, UT 84065  
Tel: (801) 254-2360  
Fax: (801) 505-4664

**Hidden Creek Water Company**  
5225 Alvera Cir  
Salt Lake City, UT 84117  
Tel: (801) 272-3525  
Fax: (801) 277-6691

**Highlands' Water Company, Inc.**  
5880 North Highland Drive  
Mountain Green, UT 84050  
Tel: (801) 876-2510  
Fax: (801) 876-2510

**Horseshoe Mountain Ranch Estates Owners Assoc., Inc.**  
10160 Roseboro Road  
Sandy, UT 84092  
Tel: (801) 572-4728  
Fax: (801) 572-7456

**Kayenta Water Users, Inc.**  
d/b/a KWU, Inc.  
800 North Kayenta Parkway  
Ivins, UT 84738  
Tel: (435) 628-7234  
Fax: (435) 628-7707

**Lake Front Estates Water Users Association**  
156 North Main Street  
Richfield, UT 84701  
Tel: (801) 561-1752  
Fax: (801) 561-6083

**Lakeview Water Corporation**  
932 South 6525 East  
Huntsville, UT 84317  
Tel: (801) 745-2639

**Legacy Sweet Water, Inc.**  
3451 North Triumph Blvd., Garden Level  
Lehi, UT 84043  
Tel: (800) 973-3715  
Fax: (801) 384-7143

**Pine Valley Irrigation Company**  
316 Diagonal Street  
St. George, UT 84770  
Tel: (435) 673-3435

**Pineview West Water Company**  
828 Radford Lane  
Eden, UT 84310  
Tel: (801) 675-1711

**South Duchesne Culinary Water, Inc.**  
59 West Main Street  
Duchesne, UT 84021  
Tel: (435) 738-6400  
Fax: (435) 738-6003

**Wanship Cottage Water Company**  
320 Old Farm Road  
Coalville, UT 84017  
Tel: (435) 336-5584  
Fax: (435) 336-2380

**Waterpro, Inc.**  
12421 South 800 East  
Draper, UT 84020  
Tel: (801) 571-2232  
Fax: (801) 571-8054

**Willow Creek Water Company, Inc.**  
14015 North 400 West  
Beaver Dam, UT 84306  
Tel: (435) 458-3429

**SEWER COMPANIES**

**Mountain Sewer Corporation**

932 South 6525 East  
Huntsville, UT 84317  
Tel: (801) 745-2639

# Miscellaneous Dockets

[Docket No. 19-999-01](#) – *Miscellaneous Correspondence and Reports Regarding Electric Utility Services; 2019*

[Docket No. 19-999-02](#) – *Miscellaneous Correspondence and Reports Regarding Gas Utility Services; 2019*

[Docket No. 19-999-03](#) – *Miscellaneous Correspondence and Reports Regarding Telecommunications Utility Services; 2019*

[Docket No. 19-999-05](#) – *Eligible Telecommunications Carriers' Annual Lifeline Recertification Filings*

[Docket No. 19-999-06](#) – *Pipeline and Hazardous Material Safety Administration*

*(PHMSA) Incident Reports and Miscellaneous Notifications Filed in 2019*

[Docket No. 19-999-07](#) – *Pipeline and Hazardous Materials Safety Administration (PHMSA) Annual Reports for Calendar Year 2018 of Natural or Other Gas Transmission and Gathering Systems*

[Docket No. 19-999-10](#) – *Competitive Local Exchange Carrier ("CLEC") Annual Reports for Calendar Year 2018*

[Docket No. 19-999-11](#) – *Investigation into Potential Statutory Change to Utah Code Ann. § 54-7-15*

[Docket No. 19-999-13](#) – *2019 Universal Service Fund (USF) CAF ICC Review*

# Rule Dockets

[Docket No. 18-R450-01](#) – Proposed  
*Rulemaking Concerning Utah Code Ann. §  
54-17-807, Solar Photovoltaic or Thermal  
Solar Energy Facilities, Enacted May 8,  
2018*

[Docket No. 18-R460-01](#) – Proposed  
*Rulemaking Concerning Utility/Customer  
Relations regarding Third-Party  
Solicitations*

[Docket No. 19-R310-01](#) – Proposed  
*Amendment to R746-310, Uniform Rules  
Governing Electricity Service by Electric  
Utilities*

[Docket No. 19-R314-01](#) – Proposed  
*Rulemaking Concerning Utah Code Ann. §§  
54-17-901 to -909, Community Renewable  
Energy Act*

# Complaint Resolution

## The Role of the Division of Public Utilities

A dissatisfied customer who cannot resolve utility service issues through contact with the utility can seek assistance from state regulators. Utility consumers may contact the DPU ([www.publicutilities.utah.gov](http://www.publicutilities.utah.gov)) through an informal complaint process. DPU staff construct a factual statement through discussions with the complainant and the utility regarding the problem. Often this step resolves the dispute.

## Formal Complaints

If the informal process does not yield satisfactory results for either party, the complaint can be escalated to the PSC as a formal complaint requesting review and a hearing. Complaints resolved through informal and formal processes are listed below. By far, most customer complaints are resolved during the informal process.

Type of Utility Complaint	Informal	Formal
Electric	80	7
Natural Gas	72	8
Telecom – ILEC* (including CenturyLink)	72	6
Telecom – CLEC*	28	0
Telecom – Long Distance	0	0
Water and Sewer	9	0
<b>TOTAL</b>	261	21

\* ILEC – Incumbent Local Exchange Carrier

\* CLEC – Competitive Local Exchange Carrier

# **FY 2019 ANNUAL REPORT**

**Public Service Commission of Utah  
160 East 300 South  
Salt Lake City, UT 84111**

September 12, 2019

Senator Ronald Winterton, Chair  
Representative Carl R. Albrecht, Chair  
Members of the Public Utilities, Energy, and Technology Interim Committee  
Senator David P. Hinkins, Sponsor, S.B. 130, Universal Service Fund Amendments (2017 GS)

Re: Report from the Public Service Commission of Utah (PSC) under Utah Code Ann.  
§ 54-8b-15(16)

Senators and Representatives,

Under Utah Code Ann. § 54-8b-15(16), enacted by S.B. 130 in the 2017 General Session, the PSC is required to report before November 1 each year to the Public Utilities, Energy, and Technology Interim Committee. The report is required to address four items:

1. The contribution method for the Universal Public Telecommunications Service Support Fund, typically referred to as the Utah Universal Service Fund (UUSF).
2. The amount of distributions from and contributions to the UUSF during the last fiscal year.
3. The availability of services for which Utah law allows UUSF funds to be used.
4. The effectiveness and efficiency of the UUSF.

### **UUSF Background**

The UUSF is a program under which the PSC distributes funds from mandatory contributions (“surcharges”) collected from customers and paid into the UUSF by Utah telephone service providers based on their number of access lines and connections. The statutory purpose of the UUSF is to provide a mechanism for a qualifying carrier of last resort to obtain specific, predictable, and sufficient funds to deploy and manage networks capable of providing end-user services including access lines, connections, or wholesale broadband internet access service. The UUSF also funds a program that provides telecommunication access and equipment to deaf, hard of hearing, and speech challenged individuals, and a Lifeline program intended to help make communication services more affordable for low-income customers. The Legislature has charged

the PSC with establishing the UUSF contribution method, which must be both nondiscriminatory and competitively neutral.

### **UUSF Contribution Method**

Prior to S.B. 130, the UUSF contribution rate was 1.65% of billed intrastate retail rates. S.B. 130 required the PSC, before January 1, 2018, to develop a contribution method that is a function of a provider's annual intrastate revenue, number of access lines or connections in Utah, or some combination of those two methods.

The PSC considered the various stakeholder positions and implemented a surcharge of \$0.36 per month for each access line or connection beginning January 1, 2018. Due to an increase in the total amount of UUSF disbursements, the PSC raised the surcharge amount to \$0.60 per month, effective May 1, 2019.

### **Current UUSF Determination Process**

Under Utah Code Ann. § 54-8b-15(4)(a)(ii) rate-of-return regulated carriers of last resort qualify for disbursements from the UUSF if their reasonable costs to provide public telecommunications service and wholesale broadband Internet access service exceed revenue from certain designated sources. Each April these carriers file annual reports accounting for those costs and revenues. The Division of Public Utilities (DPU) audits those reports and may also audit additional records of the carrier. The DPU makes annual recommendations for UUSF distributions after auditing each carrier's reasonable costs and the revenues. If a carrier disagrees with the DPU's recommendation, it may contest the issue in a PSC adjudicatory process.

### **UUSF Distributions and Contributions for the Fiscal Year Ended June 30, 2019**

For FY 2019, total contributions to the UUSF were \$14,879,300 and total distributions from the UUSF were \$16,194,225. Both UUSF collections and disbursements increased in FY 2018 and further in 2019<sup>1</sup> primarily because, pursuant to S.B. 130, the scope of the program has increased.

Further breakdowns on distributions are listed below. While we recognize the total number of customers for each provider listed below could provide a useful data point when evaluating UUSF distributions, we acknowledge that customer counts might be viewed as commercially sensitive data, so we have not included them in this report.

<sup>1</sup> For FY 2017, total UUSF contributions to the UUSF were \$11,328,664 and total distributions from the UUSF were \$11,121,953. For FY 2018, total UUSF contributions to the UUSF were \$12,995,732 and total distributions from the UUSF were \$12,039,752. We anticipate that for FY 2020 both of these numbers will increase again as the higher disbursement levels to providers and the higher surcharge amount were both in effect for only a portion of FY 2019.



**Total FY 2019 UUSF distributions to Utah rural incumbent local exchange carriers**

All West Communications, Inc.	\$1,830,388
Bear Lake Communications, Inc.	\$131,391
Beehive Telephone Company, Inc.	\$918,332
Carbon/Emery Telcom, Inc.	\$1,434,563
Central Utah Telephone, Inc.	\$465,640
Direct Communications Cedar Valley, LLC	\$1,220,955
Emery Telephone	\$1,038,663
Gunnison Telephone Company	\$271,017
Hanksville Telcom, Inc.	\$68,261
Manti Telephone Company	\$1,040,436
Skyline Telecom	\$23,154
South Central Utah Telephone Association, Inc.	\$3,740,931
STRATA Networks (UBTA-UBET Communications, Inc.)	\$2,645,643
Union Telephone Company	\$37,930
<b>Total:</b>	<b>\$14,867,304</b>

**Total FY 2019 UUSF Lifeline (Utah Telephone Assistance Program) distributions**

All West Communications, Inc.	\$546
Bear Lake Communications, Inc.	\$59
Beehive Telephone Company, Inc.	\$336
Carbon/Emery Telcom, Inc.	\$6,254
Central Utah Telephone, Inc.	\$2,058
Citizens Telecommunications Company of Utah d/b/a Frontier Communications of Utah	\$4,560
Direct Communications Cedar Valley, LLC	\$476
i-wireless, LLC	\$2,461
Emery Telephone	\$2,062
Gunnison Telephone Company	\$980
Hanksville Telcom, Inc.	\$63
Manti Telephone Company	\$3,444
Navajo Communications Company, Inc. d/b/a Frontier Navajo Communications Company	\$305
Q Link Wireless, LLC	\$375,046
Qwest Corporation d/b/a CenturyLink QC	\$81,127
Skyline Telecom	\$1,008
South Central Utah Telephone Association, Inc.	\$3,766
STRATA Networks (UBTA-UBET Communications, Inc.)	\$6,044
Virgin Mobile USA, L.P./Assurance Wireless	\$49,931
<b>Total:</b>	<b>\$540,526</b>

- FY 2019 Relay Utah program expenses: \$781,395.
- FY 2019 UUSF online remittance system: \$5,000.

## **Availability of Services Receiving UUSF Funds**

### Wireline Telephone Service

In the past, the Federal Communications Commission (FCC) published annual reports of wireline telephone service availability in each state. The report was based on the total number of occupied housing units with access to wireline telephone service.

The last such report issued by the FCC was in September 2010, listing data from years 2001 through 2008. Utah's availability of wireline telephone service had increased from 97.4 percent of occupied housing units in 2001 to 99.3 percent of occupied housing units in 2008. For the 2008 data, Utah had the highest percentage of all 50 states (while the state with the lowest percentage was 95.7 percent).

The PSC is unaware of a research source with more recent data, although it seems counter-intuitive that wireline telephone service availability would have decreased in any significant manner since 2008. Adoption (as opposed to availability) has decreased significantly as many customers are now choosing wireless telephone service, or voice over internet protocol service, rather than wireline service.

### Broadband Internet Service

In May 2019, the FCC released the 2019 Broadband Deployment Report. This report evaluates whether advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion. The full report is available at the following website:  
<https://www.fcc.gov/reports-research/reports/broadband-progress-reports/2019-broadband-deployment-report>

Highlights of the report's findings for Utah include:

- 94.2% of Utah's population with access to Fixed 25 Mbps/3Mbps (advertised maximum download speed/advertised maximum upload speed);
- 99.7% of Utah's population with access to Mobile LTE 5 Mbps/1 Mbps;
- 88.3% of Utah's population with access to Mobile LTE 10 Mbps/3 Mbps;
- 47.4% of Utah's population living on Tribal Lands with access to Fixed 25 Mbps/3Mbps; and
- 93.3% of Utah's population living on Tribal Lands with access to Mobile LTE 5 Mbps/1 Mbps.

Additionally, data in a different format is maintained by the Utah Broadband Outreach Center, an office within the Governor's Office of Economic Development. That office maintains an online

resource at <https://broadband.utah.gov/map/> allowing a user to enter a street address in Utah and find various broadband Internet options at that location. That office also published a Utah Broadband Atlas in January 2015 and maintains an online resource showing the maximum advertised download speeds by county as well as statewide.

Those two resources are available at the following websites:

<https://broadband.utah.gov/wp-content/uploads/2015/02/Broadband-Atlas-Final-Small-File.pdf>

<https://broadband.utah.gov/resources/maps-and-data/residential-broadband-coverage-statistics-county/>

## **Effectiveness and Efficiency of the UUSF**

### **Administrative Rules**

After we determined a contribution method for the UUSF going forward, we revised the remainder of our UUSF administrative rules to be more consistent with S.B. 130.

Stakeholders have asked us to further clarify our administrative rules in two areas: depreciation methodology and one-time UUSF distributions to carriers of last resort whose rate of return is not regulated by the PSC. Those stakeholders are continuing to engage in discussions and have committed to providing as much consensus rule language as possible to the PSC when those discussions conclude. All mandatory rulemaking from S.B. 130 is complete.

### **Potential Changes to Future UUSF Distributions**

In addition to the increased UUSF collections and distributions since 2017, we anticipate the demand for UUSF disbursements may continue to grow. For example, the legislation allows Lifeline subsidies to wireless telephone customers where those subsidies previously were available only to wireline connections. Five wireless telephone companies were granted permission to receive state Lifeline subsidies for their qualifying customers in 2018 and 2019, and one application is currently pending. As these companies increase their number of customers, the UUSF payments to them are likely to rise. For FY 2019, disbursements to these companies totaled \$427,438.

Potential future one-time distributions to carriers of last resort whose rate of return is not regulated by the PSC could increase UUSF distributions. However, another provision of S.B. 130 ties carriers whose rate of return is regulated by the PSC to the federally approved rate of return.<sup>2</sup> Under current federal precedent, this change will provide a downward trend in distributions to those carriers that should counterbalance some of the issues that are increasing distributions.

<sup>2</sup> Approved by the Federal Communications Commission.

## Issues for Legislative Consideration

As mentioned in the PSC's 2018 report, two additional issues exist where at least some stakeholders have expressed to the PSC an interest in further legislative changes. Because of our desire to maintain the ability to fulfill our administrative and adjudicative functions without bias, the PSC is not advocating for or against legislative changes on either of these issues. The issues are a potential statutory cap on UUSF contributions or distributions, and authorizing point-of-sale collection of UUSF surcharges for prepaid wireless telephone service.

We recognize it is unusual for the Legislature to delegate to the PSC both the authority to set the contribution amount that creates the revenue flow into the UUSF, and the authority to adjudicate distributions from those revenues. We take those joint responsibilities seriously and pledge to perform them in a deliberate and transparent way. Nevertheless, we believe it should be a conscious legislative decision whether to continue to leave both sides of UUSF administration solely to the regulatory arena, or whether there should be additional statutory checks and balances on the PSC's authority.

Additionally, some stakeholders have indicated to the PSC a desire for statutory authority for a point-of-sale collection of UUSF surcharges from prepaid wireless service. Prepaid wireless service plans are sold directly to customers either by wireless telephone service providers or by third-party retailers on behalf of providers. Customers may purchase additional credits after their initial purchase, but in some instances have no ongoing billing relationship with the provider. The PSC has no jurisdiction over third-party sellers of prepaid wireless service.

Some stakeholders have argued to the PSC that because of the difficulties in collecting UUSF contributions from prepaid wireless service customers, and the irregular intervals at which customers may buy plans or additional credits, the current \$0.60 per access line UUSF surcharge is discriminatory. Those stakeholders asked the PSC to refrain from adopting a flat, monthly UUSF surcharge until after the Legislature authorizes point-of-sale collection from prepaid wireless customers.

Other stakeholders disagreed with those assertions and argued for a different outcome, which the PSC adopted. Under existing PSC administrative rules: “[a] provider that offers prepaid access lines or connections that permit access to the public telephone network shall remit to the [PSC] \$0.60 per month per access line for such service (new access lines or connections, or recharges for existing lines or connections) purchased on or after January 1, 2018.” Additional rule language clarifies that “[m]ultiple recharges of a single prepaid access line during a single month do not trigger multiple remittance requirements.”

In other words, existing PSC rules place the requirement to collect and remit UUSF surcharges on a wireless telephone service provider, regardless of whether that provider sells prepaid service through a third-party retailer. Some stakeholders find those existing rules adequate; others

consider the rules to be discriminatory and have advocated for legislative authorization to collect UUSF contributions at the point-of-sale.

We hope this information is helpful. We have an ongoing commitment to help inform the legislative process on any issues within our jurisdiction. Please reach out to us with any questions or concerns about our administration of the UUSF.

Respectfully submitted,

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Public Service Commission of Utah

Provider	Provider Type
1-800-Reconex	CLEC
360networks (USA), Inc.	CLEC
AboveNet Communications, Inc.	CLEC
Access One, Inc.	CLEC
ACN Communication Services	CLEC
Advantguard Monitoring LLC	CLEC
Affinity Network Incorporated	CLEC
Airespring, Inc.	CLEC
Airus, Inc. <b>(VoIP Provider)</b>	CLEC
All West/Utah Inc	CLEC
American Fiber Network, Inc	CLEC
ANPI Business, LLC	CLEC
AT&T Corp. fna AT&T Communications	CLEC
AvantGuard Monitoring Centers	CLEC
BA Telecom, Inc.	CLEC
BCM One Inc	CLEC
BCN Telecom, Inc.	CLEC
BellSouth Long Distance, Inc. dba AT&T Long Dist. Svc.	CLEC
Birch Communications, LLC	CLEC
Blue Spring Broadband (VoIP Provider)	CLEC
Boomerang Wireless, LLC	CLEC
Bright House Networks, LLC (VoIP)	CLEC
Broadband Dynamics, LLC	CLEC
Broadsmart Global, Inc. <b>(VoIP Provider)</b>	CLEC
Broadvox-CLEC, LLC	CLEC
Broadweave Networks, Inc	CLEC
BT Communications Sales LLC	CLEC
BullsEye Telecom, Inc.	CLEC
CCI Network Services, LLC	CLEC
CenturyLink Communications Company, LLC (Qwest)	CLEC
Clear Rate Communications, Inc.	CLEC
CloudCall, Inc.	CLEC
Comcast Phone of Utah, LLC	CLEC
ComTech 21, LLC	CLEC
Comtel Telcom Assets LP	CLEC
Cordia Communications Corp	CLEC
Covoda Communications Company	CLEC
Crexendo Business Solutions, Inc.	CLEC
Cypress Communications Operating Co. LLC	CLEC
DentalTek, LLC	CLEC
Dialpad, Inc. fka Switch Comm, Inc. <b>(VoIP)</b>	CLEC
DishNet Wireline, LLC fna LIBERTY BELL TELECOM LLC	CLEC
dPi TeleConnect, LLC dba Unity Telecom	CLEC
DSLnet Communications, LLC	CLEC
Electric Lightwave, LLC	CLEC
Emery Telecommunications & Video	CLEC

Ernest Communications, Inc.	CLEC
Eschelon Telecom of Utah, Inc.	CLEC
Excel Telecommunications	CLEC
Farmers Telephone Company, Inc.	CLEC
FirstDigital Telecom LLC	CLEC
France Telecom Corporate Solutions LLC	CLEC
Frontier Communications of America, Inc.	CLEC
Fusion Cloud Services, LLC	CLEC
Global Connection Inc of America	CLEC
Global Crossing Local Services, Inc.	CLEC
Global Crossing Telecommunications, Inc.	CLEC
Google Fiber North America	CLEC
Granite Telecommunications LLC	CLEC
GreenFly Networks Inc	CLEC
GTC Telecom Corp.	CLEC
Hughes Networks Systems, LLC	CLEC
ICG Telecom Group, Inc.	CLEC
IDT America Corp.	CLEC
Impact Telecom, Inc.	CLEC
InContact, Inc fka UCN, Inc	CLEC
iNetworks Group, Inc.	CLEC
InfoWest, Inc. <b>(VoIP Provider)</b>	CLEC
Integra Telecom of Utah, Inc.	CLEC
IntelePeer, Inc.	CLEC
Intellicall Operator Services, Inc.	CLEC
Interface Security Systems, LLC	CLEC
Inter-Tel NetSolutions, Inc.	CLEC
Ionex Communications North, Inc.	CLEC
IPDatastream, LLC	CLEC
Ipitimi, Inc. <b>(VoIP Provider)</b>	CLEC
iTalk Global Communications, Inc.	CLEC
Level 3 Communications, LLC	CLEC
Level 3 Telecom of Utah, LLC	CLEC
Lightyear Network Solutions, LLC	CLEC
Lingo Communications North, LLC	CLEC
Local Access, LLC	CLEC
M5 Networks, LLC (VoIP Provider)	CLEC
Magicjack SMB, Inc. <b>(VoIP Provider)</b>	CLEC
Magna5 LLC	CLEC
Matrix Telecom Inc. d/b/a Trinsic Communications	CLEC
MCI Communication Services, Inc.	CLEC
McLeodUSA Telecommunications Services, Inc.	CLEC
MegaPath Cloud Co., LLC <b>(VoIP Provider)</b>	CLEC
Metropolitan Telecommunications of Utah, Inc. (MetTel)	CLEC
Mitel Cloud Services, Inc. (fka Mitel NetSolutions, Inc.	CLEC
Mobilitie, LLC.	CLEC
NetFortris Acquisition Co., Inc	CLEC

Network Billing Systems, LLC	CLEC
Neutral Tandem-Utah, LLC	CLEC
NewPath Networks, LLC	CLEC
NextG Networks of California, Inc.dba Crown Castle	CLEC
Nextgen Communications, Inc	CLEC
Onvoy, Inc.	CLEC
Ooma, Inc.	CLEC
OrbitCom, Inc	CLEC
Pac-West Telecomm, Inc.	CLEC
PAETEC Comm., Inc.	CLEC
Plinton Technologies USA LLC	CLEC
PNG Telecommunications Inc	CLEC
Preferred Long Distance, Inc.	CLEC
Public Communications Services, Inc.	CLEC
QuantumShift Comm., Inc.	CLEC
Questar InfoCom, Inc.	CLEC
Reliant Communications, Inc.	CLEC
Sage Telecom, Inc	CLEC
SBC Telecom / SBC Long Distance	CLEC
South Central Comm-Telcom Services, LLC	CLEC
Spanish Fork Community Network	CLEC
Spectrotel, Inc.	CLEC
Sprint Communications Company, L.P.	CLEC
Star2Star Communications, LLC	CLEC
Talk America Services, LLC	CLEC
TCG Utah dba Teleport Communications America, LLC	CLEC
TDS Broadband Service	CLEC
Tel West Communications	CLEC
Teligent Services, Inc.	CLEC
TNCI Operating Company, LLC	CLEC
TouchTone Communications, Inc.	CLEC
Trans National Communications	CLEC
Trinsic Communications, Inc.	CLEC
Tropolitan Telecommunications of Utah	CLEC
tw telecom of utah llc	CLEC
UCN, Inc. (now InContact, Inc)	CLEC
VarTec Solutions, Inc. f/k/a eMeritus Com.	CLEC
VarTec Telecom, Inc.	CLEC
Velocity The Greatest Phone Company Ever, Inc	CLEC
Veracity Networks, LLC	CLEC
Verizon Long Distance LLC	CLEC
Vinix, LLC.	CLEC
Vitcom, LLC	CLEC
West Safety Communications Inc.	CLEC
Wholesale Carrier Services	CLEC
Wide Voice, LLC	CLEC
WilTel Communications, LLC	CLEC



WiMacTel, Inc	CLEC
Windstream Communications, Inc.	CLEC
Windstream NuVox, Inc.	CLEC
X5 SLC	CLEC
XMission, LC	CLEC
XO Communications Services, Inc.	CLEC
XYN Communications of Utah, LLC	CLEC
Yiptel, LLC	CLEC
Ymax Communications Corp	CLEC
Zayo Group, LLC	CLEC
Zulty's, Inc. <b>(VoIP Provider)</b>	CLEC
ALBION TELEPHONE CO (ATC Communications)	ILEC
ALL WEST COMMUNICATIONS	ILEC
BEAR LAKE COMMUNICATIONS	ILEC
BEEHIVE TELEPHONE CO., INC	ILEC
CARBON/EMERY TELCOM	ILEC
CENTRAL UTAH TELEPHONE INC	ILEC
CITIZENS dba FC OF UTAH	ILEC
DIRECT COMMUNICATIONS CEDAR VALLEY	ILEC
EMERY TELCOM	ILEC
FARMERS TELEPHONE CO	ILEC
GUNNISON TELEPHONE CO	ILEC
HANKSVILLE TELCOM	ILEC
MANTI TELEPHONE COMPANY	ILEC
NAVAJO COMMUNICATIONS	ILEC
QWEST CORPORATION	ILEC
SKYLINE TELCOM	ILEC
SOUTH CENTRAL UTAH TELEPHONE	ILEC
UINTAH BASIN TELEPHONE ASSN dba Strata Networks	ILEC
UNION TELEPHONE COMPANY	ILEC
Access Point, Inc.	WRLS
AccessLine Communications	WRLS
Affinity Wireless (Amervision)	WRLS
AIO Wireless LLC	WRLS
All West Wireless, Inc	WRLS
Alliant Technologies, LLC	WRLS
America Net, LLC	WRLS
American Messaging Services, LLC	WRLS
American Telecommunications System, Inc.	WRLS
Amerivision Communications, Inc.	WRLS
Amp'd Mobile Inc	WRLS
Andrew David Balholm	WRLS
AT&T Wireless Services	WRLS
Atrium Wireless Partners, LLC	WRLS
Bandwidth Inc. (FKA Bandwidth.com)	WRLS
Blue Jay Wireless, LLC	WRLS
Broadband Voice, LLC	WRLS

Broadview Networks, Inc.	WRLS
Budget PrePay, Inc. d/b/a Budget Mobile	WRLS
BYO Wireless	WRLS
CallTower, Inc.	WRLS
CampusSIMs, Inc	WRLS
CampusTVs, Inc.	WRLS
Caused Based Commerce, Inc. dba Sie	WRLS
CBTS Technology Solutions LLC (FKA Cincinnati Bell Any Distance Inc.)	WRLS
Cellular Inc. Network Corporation	WRLS
Coast to Coast Cellular Inc	WRLS
Comcast ORT1, LLC	WRLS
Comm-Core, LLC	WRLS
CommNet Cellular Inc.	WRLS
CommNet Wireless, LLC	WRLS
Computer Technology Solutions, Inc.	WRLS
Consumer Cellular	WRLS
Credit Union Wireless, LLC	WRLS
Cricket Communications, Inc	WRLS
Cricket Wireless LLC	WRLS
DCT Telecom Group, Inc.	WRLS
Defense Mobile Corporation	WRLS
Deltacom, LLC	WRLS
Digium Cloud Services, LLC	WRLS
Discount Long Distance, LLC	WRLS
Dynalink Communications, Inc.	WRLS
Earthlink Business, LLC	WRLS
Easton Telecom Services LLC	WRLS
EOS Mobile Holdings, LLC	WRLS
Excellus Communications, LLC	WRLS
Flash Wireless, LLC	WRLS
GC Pivotal, LLC dba Global Capacity	WRLS
Genesys Telecommunications Lab., Inc.	WRLS
Google North American dba Project FI	WRLS
GreatCall, Inc. dba Jitterbug	WRLS
Helio, LLC	WRLS
ITC Global Networks, LLC	WRLS
ItsOn, Inc.	WRLS
I-Wireless, LLC	WRLS
Jive Communications	WRLS
Junction Networks Inc.	WRLS
Kajeet, Inc.	WRLS
KDDI America, Inc.	WRLS
KG Communications	WRLS
Long Distance Consolidated Billing Co.	WRLS
Lycamobile USA Inc.	WRLS
Mango Voice, LLC	WRLS

McGraw Communications, Inc.	WRLS
MetroPCS California, LLC	WRLS
Mobile ESPN	WRLS
NECC Telecom Inc.	WRLS
NetDiverse, LLC	WRLS
Network Innovations, Inc.	WRLS
New Cingular Wireless PCS LLC	WRLS
New Horizons Communications Corp.	WRLS
Netelligent Corporation	WRLS
Nextel West Corp.	WRLS
Nextiva, Inc.	WRLS
Novega Venture Partners	WRLS
OneStream Networks, LLC	WRLS
Onstar LLC	WRLS
Open Range Communications, Inc.	WRLS
Patriot Mobile, LLC	WRLS
Pix Wireless, LLC	WRLS
Provo Cellular Telephone dba AT&T Mobility	WRLS
Pulsar360 Corp	WRLS
Q Link Wireless	WRLS
Qwest Wireless	WRLS
Ready Wireless, LLC	WRLS
Republic Wireless, Inc.	WRLS
RyTel, LLC	WRLS
S&S Security Systems, Inc.	WRLS
Sage Telecom Communications, LLC	WRLS
Sangoma U.S., Inc.	WRLS
Senior Tech, LLC dba Snapfon	WRLS
SI Wireless, LLC	WRLS
Silv Communication Inc.	WRLS
Simple Mobile, LLC	WRLS
SimpleVoip, LLC	WRLS
Simplii, LLC	WRLS
Solavei, LLC	WRLS
South Central Communications Wireless	WRLS
Sprint Spectrum L. P. dba Sprint PCS	WRLS
ST Messaging	WRLS
Strata Networks-Wireless (UBET Wireless)	WRLS
Stream Communications, LLC	WRLS
STX Group, LLC dba Twigby	WRLS
Syndeo LLC dba Broadvoice	WRLS
Telecom Management, Inc.	WRLS
Teleport Communications America, LLC	WRLS
Teliix, Inc.	WRLS
Tempo Telecom, LLC	WRLS
The People's Operator USA, LLC	WRLS
Ting, Inc.	WRLS

T-Mobile West Corporation	WRLS
TON Services, Inc.	WRLS
Total Call Mobile, Inc.	WRLS
Tracfone Wireless, Inc.	WRLS
United Telecom, Inc.	WRLS
Universal Telcom, LLC	WRLS
US Connect, LLC	WRLS
USA Mobility Wireless, Inc	WRLS
Utah RSA #2 Ltd. Partnership	WRLS
UVNV, Inc.	WRLS
VAMP Communications (Thing, Inc.)	WRLS
Verizon Wireless (VAW) LLC	WRLS
ViaSat, Inc.	WRLS
Virgin Mobile USA, L.P.	WRLS
Vivint Wireless	WRLS
Vodafone US Inc.	WRLS
Vonage America	WRLS
Vonage Business Inc.	WRLS
Vonage Wireless, Inc.	WRLS
VOXtell, LLC	WRLS
Voyant Communications, LLC	WRLS
Wasatch Utah RSA No. 2 LP	WRLS
WaveNation, LLC	WRLS
WDIG Mobile, LLC	WRLS
WDT Wireless Telecommunications, Inc.	WRLS
Working Assets Funding Service, Inc.	WRLS
WWC Holding Co., Inc.	WRLS
Ztar Mobile Inc	WRLS

# Sales Tax Information for Telecommunications Service Providers



If you need an accommodation under the Americans with Disabilities Act, email [taxada@utah.gov](mailto:taxada@utah.gov), or call 801-297-3811, or TDD 801-297-2020. Please allow three working days for a response.

## Introduction

This publication provides sales tax information for telecommunications (telecom) service providers. It includes Utah law and Tax Commission rules, but is not all-inclusive. Future law or rule changes may change this publication.

Find general sales and use tax information in Publication 25.

## What is Taxable

Telecom services that originate and terminate within the boundaries of Utah, including landline, mobile and ancillary (secondary) services.

## Definitions

### Delivery Location

For telecom service, the place of primary use. This is usually the buyer's residential or business address.

Use the delivery location to determine the correct taxing jurisdiction and tax rate. The Tax Commission provides an online database (*ZIP+4 Boundaries for Telecom Tax Rates*) that ties ZIP+4 addresses to taxing jurisdictions. You can download this database at [tax.utah.gov/utah-taxes/telecom-download](http://tax.utah.gov/utah-taxes/telecom-download) and use it to calculate taxes and fees for each of your delivery locations.

Telecom providers report sales and use tax on form TC-62M with Schedule A. Each jurisdiction where you deliver service appears as a separate outlet on Schedule A.

Use the same delivery locations on your electronically-filed *Emergency Services Telephone Fee Return* and your *Municipal Telecommunications License Tax Return*.

### Telecom Service

The electronic transfer or routing of audio, video, voice or data signals. See Utah Code §59-12-102.

### Telecom service includes:

1. Electronically enabling, routing or sending communications. This includes VoIP (voice over Internet protocol) and enhanced or value-added service
2. 800 service
3. 900 service
4. Fixed wireless service
5. Mobile wireless service
6. Postpaid calling service
7. Prepaid calling service
8. Prepaid wireless calling service
9. Private, two-way communications service that gives exclusive or priority use of one or more channels (for example, a two-way radio)

### Telecom service does not include:

1. Advertising, including directory advertising
2. Ancillary (secondary) service, including conference bridging service, communications billing service, directory assistance, vertical service (used to identify callers and manage multiple calls) and voicemail service
3. Billing and collection service provided to a third party
4. Data processing and information service, including value-added data service
5. Installing or servicing equipment or wiring at a customer's premises
6. Internet access service
7. Paging service
8. Products transferred electronically (music, reading material, ring tones, software, video, etc.)
9. Radio and television audio/video programming service
10. Value-added non-voice data service, in which a computer application processes data or information
11. Any tangible personal property

### **Ancillary (Secondary) Service**

Services associated with telecom service. This includes conference bridging service, detailed communications billing service, directory assistance, vertical service (used to identify callers and manage multiple calls) and voicemail service.

### **Fixed Wireless Service**

Service that provides radio communication between fixed points.

### **Mobile Wireless Service**

Service that provides telecommunication between two points if the origination point, the termination point, or both are not fixed.

### **Postpaid Calling Service**

Telecom service paid on a call-by-call basis, using a bank card, travel card, credit card or debit card, or by dialing an access number through which service is charged after it occurs.

An example of postpaid calling service is a telephone calling card used to pay for calls after they are made according to a billing cycle. This includes calls charged to a home phone.

Sales of post-paid calling service are sourced to the place of primary use. In jurisdictions that impose the municipal telecommunication license tax, these transactions qualify as telecom service taxable to the service provider. These transactions are also subject to sales and use tax.

### **Prepaid Calling Service (Not Including a Telephone Line)**

Telecom services that are paid for in advance and used by entering an access number or authorization code.

Prepaid calling service is sold in units of minutes or dollars that decline with use. A 60-minute phone card for sale at a grocery store is an example of prepaid calling service.

Prepaid calling service may include a disposable phone and a temporary phone line, if they are all sold together.

Amounts paid for prepaid calling service are subject to sales and use tax and are sourced to the sale location. No additional sales and use tax is charged when the service is actually used.

Prepaid telecom service sold as a prepaid calling card is taxable for in-state calls. Prepaid telephone services are considered in-state telephone services if the card can be used for in-state calls. If a card can only be used for interstate or international calls, it can be sold tax free.

### **Prepaid Wireless Calling Service**

The right to use mobile wireless service, including non-telecom services (such as downloading products transferred electronically, content services or secondary services).

Prepaid calling services are paid for in advance and sold in units of minutes or dollars that decline with use. They are used by entering an access number or authorization code.

Amounts paid for prepaid wireless calling service are subject to sales and use tax and are sourced to the sale location.

Prepaid telecom service sold as a prepaid calling card is taxable for in-state calls. Prepaid telephone services are considered in-state telephone services if the card can be used for in-state calls. If a card can only be used for interstate or international calls, it can be sold tax free.

Prepaid wireless calling service includes prepaid disposable phones that allow callers access to 911 emergency service.

### **Private Communication Service**

Service that entitles a customer to exclusive or priority use of one or more channels between or among termination points. Private communications service includes an extension line, a station, and switching capacity.

## **Mobile Telecom Sourcing Act**

Local governments may impose taxes or fees on telecom service to buyers whose places of primary use are within their jurisdictions. The service is subject to these taxes and fees regardless of where the mobile telecom services originate, terminate or pass through.

The Mobile Telecommunications Sourcing Act (U.S. Code, Title 4, Chapter 4) defines the location of a wireless telephone call, for taxing purposes, as the customer's place of primary use. See *Delivery Locations* in this publication.

## **Emergency Service Telephone Charges**

The following charges apply to each landline, cellular line and other service line, such as VoIP. Any service provider who must pay one fee must also pay the other.

File and pay *E-911 Telephone Fee Return* electronically at [tap.utah.gov](http://tap.utah.gov). The return and payment are due at the same time as your *Sales and Use Tax Return*.

When you file, you must identify each city, town or unincorporated area of the county where phone service is supplied, based on the ZIP+4 service addresses of your customers. When you supply service to multiple locations within a county, DO NOT report all lines and fees at the county level or at just one city or town within the county.

The Tax Commission provides a downloadable database of rates and boundaries that ties ZIP+4 addresses to taxing jurisdictions. You can download this database at [tax.utah.gov/utah-taxes/telecom-download](http://tax.utah.gov/utah-taxes/telecom-download).

## **911 Emergency Service Charges**

The monthly 911 emergency service charge fee is 71 cents per service line.

You may keep 1.5 percent of this charge fees toward the cost of billing, collecting and paying the charge.

## **Unified Statewide 911 Emergency Service Charge**

The monthly unified statewide 911 emergency service charge is 25 cents per service line. You may keep 1.5 percent of this charge toward the cost of billing, collecting and paying the charge.

## **Radio Network Charge**

Utah levies an additional statewide fee of 52 cents per month for each service line to fund a statewide public safety communications network.

You may not keep any portion of this fee for any reason.

## 911 Service Charge on Prepaid Disposable Phones

A 911 service charge of 3.7 percent is imposed on the sales price of prepaid disposable cell phones and disposable cell phone minutes. Sellers may keep 3 percent of the money they collect for administration costs.

## Municipal Telecom License Tax (MTLT)

Utah cities and towns may impose a tax of up to 3.5 percent on the value of telecom service provided within their boundaries. You may pass this tax on to your customers. If you do, this amount is part of the service sales price for sales tax purposes.

To file and pay the *Municipal Telecommunications License Tax Return* electronically, go to [tap.utah.gov](http://tap.utah.gov). The return and the payment are due at the same time as your *Sales and Use Tax Return*. Find the jurisdictions that impose this tax and the rates online at [tax.utah.gov/sales/rates](http://tax.utah.gov/sales/rates).

When you file, you must identify each city or town where telecom service is provided, based on ZIP+4 service addresses of your customers. Since the unincorporated portion of the county cannot impose this tax, DO NOT report any service at the county level.

The Tax Commission provides a downloadable database of rates and boundaries that ties ZIP+4 addresses to taxing jurisdictions. You can download this database at [tax.utah.gov/utah-taxes/telecom-download](http://tax.utah.gov/utah-taxes/telecom-download).

## Changes to Your Account

You must report account changes, and any changes to telecom delivery locations, immediately to the Tax Commission. Report company name changes, ownership changes and address changes on form TC-69C, *Notice of Change for a Tax Account*. Use form TC-62Q, *Utah Sales Tax Sourcing Schedule*, to add or delete a location.

## Penalties for Incorrect Filing and Non-Filing

We may impose a penalty of the greater of \$20 or 10 percent of the tax due if you submit incorrect or late return information. This includes:

- An incomplete return
- An electronic return in the wrong format
- Payment without a return

## Utah Telecom Taxes & Fees

Taxes and fees imposed on the customer are not included in the taxable base. However, taxes and fees imposed on the company that are listed on the customer's bill are included in the sales tax base.

The chart below is a summary of taxes and fees on telecom service in Utah. The chart may not be all-inclusive.

Tax	Explanation	Imposed On		Included in Tax Base
		Company	Customer	
Federal Excise Tax	Federal tax imposed on a buyer of local and toll telephone service (3%).		X	No
State Sales Tax	Sales tax imposed by Utah on a buyer of telephone service (4.7%).		X	No
Local Option Sales Taxes	Sales tax imposed on a buyer of telephone service — must have the same base as the state sales tax (rate varies).		X	No
Recovery of Municipal Telecommunications Tax	Imposed by a municipality on the value of telecom service provided within its boundaries.	X <sup>1</sup>		Yes
Unified Statewide 911 Service Charge	Imposed by Utah on the purchaser of access lines to fund emergency 911 telecom services (\$0.25).		X	No
911 Service Charge	Imposed by Utah to fund emergency 911 telecom services (\$0.71).		X	No
Federal Universal Service Fund (FUSF)	Imposed by the FCC on interstate telecom services to offset the high cost of telephone service in rural areas, help with the purchase of telecom services by schools and hospitals, and provide telephone assistance to low income individuals.	X <sup>2</sup>		No
FUSF – Private Line	This portion of the FUSF is applicable to private lines. This fee appears on DSL customer bills. The rate is the same as the standard FUSF.	X <sup>2</sup>		No

Tax	Explanation	Imposed On		Included in Tax Base
		Company	Customer	
Utah Universal Service Fund	Imposed by the Utah Public Utility Commission on intrastate telephone service to help keep the cost of telecom services low in high-cost areas.		X	No
Telecommunications Relay Service Fund	Imposed by the Utah Public Service Commission to fund the relay centers that help hearing and speech-impaired customers make and receive calls.		X	No
Radio Network Charge	Imposed by Utah to fund the statewide public safety radio network (\$0.52 per access line).		X	No
Federal Access Charge	Allowed by the FCC to recover part of the cost of connecting a customer's long distance carrier to the local network.		X	No

<sup>1</sup> Taxes that are imposed on the company and passed through to the customer constitute a reimbursement to the company for an expense. This becomes revenue to the company and part of the cost of the service to the customer. Therefore, it is subject to the various sales taxes. See Utah Code §59-12-102 (99)(b)(ii)(G).

If a tax is imposed directly on the customer, it is not included in the sales tax base. See Utah Code §59-12-102 (99)(c)(ii)(E).

<sup>2</sup> The service that this fee is associated with is not subject to the various sales taxes. Thus this fee is not part of the taxable base.

## Telecom Taxability Chart

The range of services a provider offers and the combination of services a customer buys are usually unique. Some services may be subject to emergency services fees alone, some may be subject to municipal telecom tax alone, and some may be subject to both.

The chart below is a summary of services that may be provided to telecom customers. The chart may not be all-inclusive.

Use the chart to find if a service is taxable. Then find if a locality imposes the fee or tax by checking the rate chart at [tax.utah.gov/sales/rates](http://tax.utah.gov/sales/rates).

Telecom Service	Subject to:			Reference <sup>2</sup>
	Emergency Services <sup>1</sup> UC §69-2-5	Municipal Telecom UC §10-1-404	Sales and Use UC §59-12-103	
800 Service – toll-free calling (800, 855, 866, 877, 888)	No	Yes <sup>3</sup>	Yes <sup>3</sup>	UC 59-12-102(1)
900 Service – inbound toll telecommunications	No	Yes <sup>3</sup>	Yes <sup>3</sup>	UC 59-12-102(2)
Ancillary (Secondary) Telephone Services (call waiting, caller ID, call forwarding, voice mail, etc.)	No	Yes	Yes	UC 59-12-102(12)
Answering Service – human operator	No	No	No	R865-19S-90(2)
Cable or Satellite TV <sup>4</sup>	No	No	No	UC 59-26-103
Cellular Phone Line	Yes	Yes	Yes	
Charges to fund special services (911, TDD, service for low-income customers)	No	No	No	R865-19S-90(2)
Contributions to aid construction projects	No	No	No	
Equipment Repair – equipment belongs to customer and remains tangible personal property	No	No	Yes	UC 59-12-104(61) Exemptions for telecom companies
Equipment Repair – real property	No	No	No	R865-19S-90(d)
Fiber Optic Cable – dark (unlit) – treated as lease of real property	No	No	No	PLR 07-009
Fiber Optic Cable – lit or activated – used for telephone service Part of a public switched telephone network (PSTN)	Yes	Yes	Yes	PLR 07-009
Fiber Optic Cable – lit or activated – not part of a public switched telephone network (PSTN)	No	Yes	Yes	



Telecom Service	Subject to:			Reference <sup>2</sup>
	Emergency Services <sup>1</sup> UC §69-2-5	Municipal Telecom UC §10-1-404	Sales and Use UC §59-12-103	
Internet Access – purchased, used or sold by a provider	No	No	No	PL 110-108 (PLR 08-005)
Internet Service Provider	No	No	No	PL 110-108 (PLR 08-005)
Long Distance – interstate	No	No	No	
Long Distance – intrastate	No	Yes	Yes	UC 59-12-103(1)(b)
Municipal Telecom Fee recovered from customer	No	No	Yes	UC 10-1-402(4)
Paging Service	No	No	No	UC 59-12-102(129)(c)(vii)
Post-Paid Calling Service	No	Yes	Yes	UC 59-12-102(129)(b)(vi)
Prepaid Service – including a phone line (disposable phone, temporary phone line, etc.)	Yes	Yes	Yes	UC 59-12-102(129)(b)(viii)
Prepaid Service – not including a phone line (e.g., a calling card)	No	Yes	Yes	UC 59-12-102(129)(b)(vii)
Radio – mobile service	Yes	Yes	Yes	UC 69-2-402, UC 69-2-403, UC 69-2-404
Radio Communications Access Line	Yes	Yes	Yes	UC 69-2-402, UC 69-2-403, UC 69-2-404
Refundable Deposits, Interest, Penalties, etc.	No	No	No	
Sales and Use Tax	No	No	No	
Service Fees – connection, disconnect, changes, etc.	No	Yes	Yes	UC 59-12-102(89)
Subscriber Access Fees	No	Yes	Yes	UC 59-12-103(b)
Switched Access Line (landline)	Yes	Yes	Yes	UC 69-2-402, UC 69-2-403, UC 69-2-404
VoIP (voice over Internet protocol)	Yes	Yes	Yes	UC 69-2-402, UC 69-2-403, UC 69-2-404
VPN (virtual private network)	Yes	Yes	Yes	

<sup>1</sup> Emergency Services includes 911 emergency service charge and radio network charge

<sup>2</sup> UC = Utah Code  
PL = Public Law (federal)  
PLR = Private Letter Ruling (Utah Tax Commission)  
R = Administrative Rule

<sup>3</sup> If intrastate included, all is taxable

<sup>4</sup> Subject to multi-channel video or audio service tax

Sales tax publications provide general guidance only. They do not contain all sales or use tax laws or rules. If you need more information, call 801-297-7705 or 1-800-662-4335, ext. 7705 (outside the Salt Lake area), or email [taxmaster@utah.gov](mailto:taxmaster@utah.gov).

Find information online about E-911, computer-aided dispatch and municipal telecom, including detailed filing instructions and formats.



[tax.utah.gov/utah-taxes](http://tax.utah.gov/utah-taxes)

**CENTURY LINK:** Here is a list of fees on our customers bill for local phone service.

Federal Excise tax

State sales

County sales

City sales

Special district sales

State 911

Local 911

Utah UUSF

Federal USF

Recovery of Municipal Telecommunications tax

# Utah Interim Committee on Public Utilities, Energy, and Technology

Scott Mackey  
Managing Partner  
Leonine Public Affairs  
Montpelier, VT

September 18, 2019

## Utah Wireless Taxes

2015 to 2019

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
State sales tax	4.70%	4.70%	4.70%	4.70%	4.85%
Local sales taxes	2.10%	2.15%	2.15%	2.15%	2.65%
Local utility wireless	3.50%	3.50%	3.50%	3.50%	3.50%
Local 911	\$.61/line	\$.61/line			
State 911	\$.09/line	\$.09/line	\$.80/line	\$.80/line	\$.96/line
State Radio Network Charge			\$.18/line	\$.52/line	\$.52/line
CAD Fee	\$.06/line	\$.06/line			
State USF	0.63%	0.63%	1.04%	\$.36/line	\$.60/line
State TRS	\$.10/line	\$.02/line			
STATE/LOCAL TOTAL	12.77%	12.73%	13.75%	14.70%	16.50%
FUSF	6.46%	6.64%	6.34%	6.64%	9.05%
TOTAL	19.23%	19.37%	20.09%	21.34%	25.55%
50-State Rank (1=highest)	13	16	13	11	5

Flat rate taxes/fees converted to percentage using average monthly bill for each year

State USF - Percentage-based state USF rate times inverse of FUSF safe harbor (62.9% of flat charge).

Source: Scott Mackey, reports from various years.

## TAXES, FEES, AND GOVERNMENT CHARGES ON WIRELESS SERVICE

(As of July 1, 2019)

<u>Type of Tax/Fee</u>	<u>Utah</u>	<u>Wyoming</u>	<u>Idaho</u>	<u>Nevada</u>	<u>Arizona</u>	<u>Colorado</u>
State Sales/Use	4.85%	4.00%			5.60%	2.90%
Local Sales/Use	2.65%	1.50%			0.60%	5.38%
Other Local Excise	3.50%			1.98%	5.90%	
911	\$.96/line	\$.75/line	\$1.00/line	\$.43/line	\$.20/line	\$1.28/line
State Radio network	\$.52/line					
State USF	\$.60/line	1.07%		0.18%		1.64%
TDD / Deaf Relay		\$.09/line		\$.06/line		\$.04/line
<b>TOTAL STATE/LOCAL</b>	<b>16.50%</b>	<b>8.79%</b>	<b>2.64%</b>	<b>3.44%</b>	<b>12.63%</b>	<b>13.39%</b>
Federal USF	9.05%	9.05%	9.05%	9.05%	9.05%	9.05%
<b>TOTAL FED/STATE/LOCAL</b>	<b>25.55%</b>	<b>17.84%</b>	<b>11.69%</b>	<b>12.49%</b>	<b>21.68%</b>	<b>22.44%</b>
Rank (1=highest)	5	42	50	49	21	18

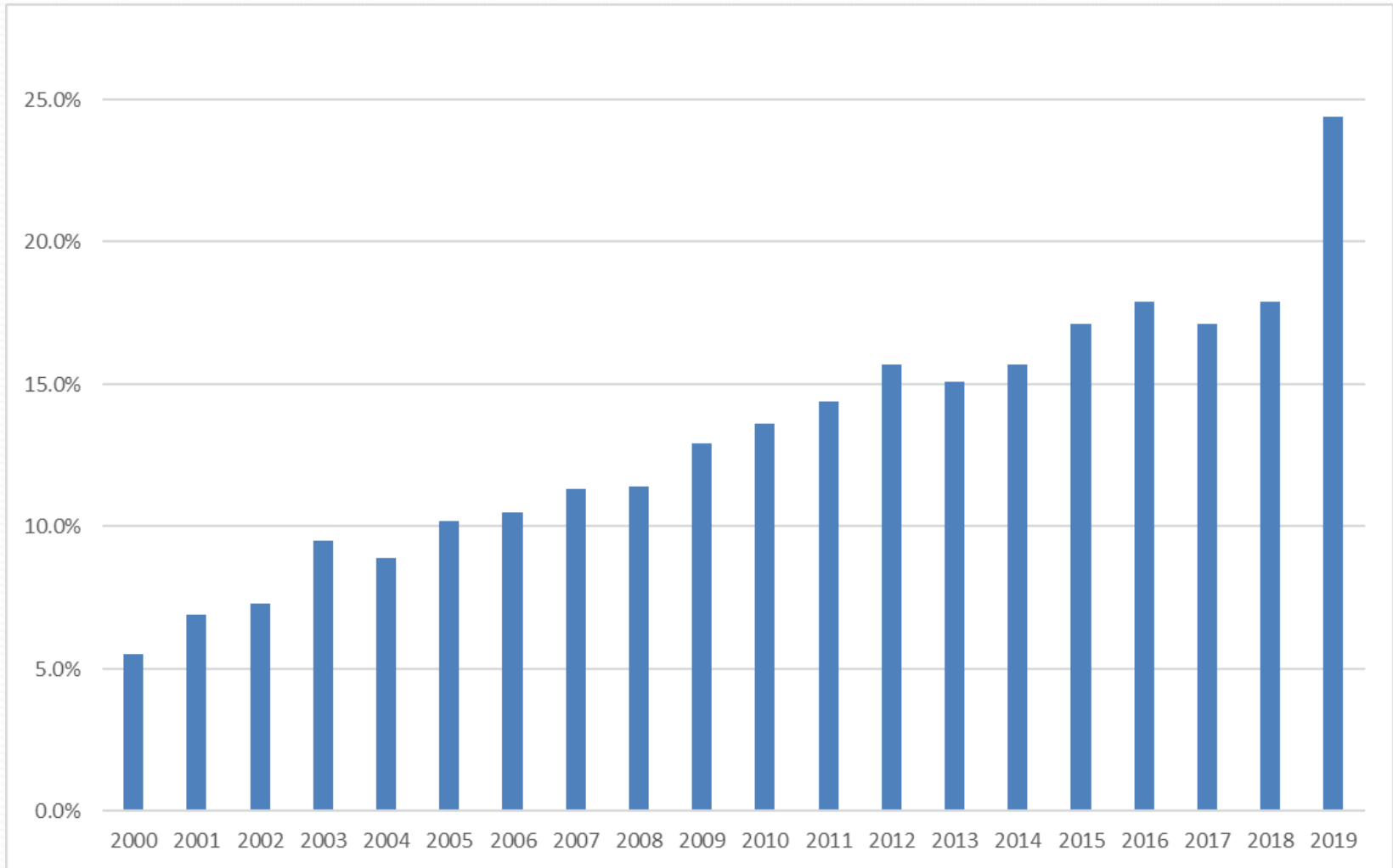
Flat rate taxes/fees converted to percentage using average monthly bill of \$37.85

State USF - Percentage-based state USF rate times inverse of FUSF safe harbor (62.9% of flat charge).

FUSF - 24.4% contribution rate times FCC interstate safe harbor percentate (37.1%)

Source: Scott Mackey, "Wireless Taxes and Fees Jump Sharply in 2019," forthcoming 10/2019.

# Federal Universal Service Fund Contribution Factor (assessed as percentage of Interstate charges)



RURAL INCUMBENT LOCAL EXCHANGE PROVIDER				
TAXES AND FEES ON SUBSCRIBERS BILLS				
10/6/2019				
<b>Tax/Fee Description</b>	<b>Govt Auth Level</b>	<b>Tax Method</b>	<b>Tax Rate</b>	<b>Flat-Fee</b>
FEDERAL EXCISE TAX	FEDERAL	Percent	3.000%	\$ -
SUBSCRIBER LINE CHARGE	FEDERAL	Flat-Fee		\$ 6.50
FEDERAL UNIVERSAL SERVICE CHARGE	FEDERAL	Percent	25.000%	
COMBINED STATE SALES AND USE TAX*	STATE, CITY AND COUNTY	Percent	6.1%-8.2%	\$ -
UT STATE E-911 SURCHARGE	STATE	Flat-Fee		\$ 0.25
RADIO NETWORK CHARGE	STATE	Flat-Fee		\$ 0.52
911 EMERGENCY SERVICE CHARGE	COUNTY ADM BY STATE	Flat-Fee		\$ 0.71
UT PUB UTILITY REGULATORY FEE	STATE	Percent	0.298%	\$ -
UT UNIVERSAL SERVICE FUND	STATE	Flat-Fee		\$ 0.60
MUNI TELECOM LICENSE TAX	CITY ADM BY STATE	Percent	3.500%	\$ -
<p>*Includes Common Rates, Transit and Highways, Rural Hospital, Arts and Zoo, City/Town, and Impacted Communities taxes as applicable. This rate fluctuates from a low of 6.1% to a high of 8.20% in rural areas.</p>				
<p>The affordable base rate in Utah for rural telephone companies is set by the Commission at \$18. There may be other services provided that are subject to state and federal sales tax such as long distance, or additional feather.</p>				