

BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING

IN THE MATTER OF THE FUNDING)
REQUIREMENT AND PROPOSED)
ASSESSMENT FACTOR FOR THE)
JULY 2015 - JUNE 2016 FISCAL YEAR)
OF THE WYOMING UNIVERSAL)
SERVICE FUND)

Docket No. 90072-40-XO-15
(Record No. 14087)

SECOND NOTICE AND ORDER ESTABLISHING THE
WYOMING UNIVERSAL SERVICE FUND ASSESSMENT LEVEL
(Issued July 23, 2015)

This matter is before the Wyoming Public Service Commission (Commission) for the purpose of establishing a final Wyoming Universal Service Fund (WUSF or Fund) assessment level for the twelve-month period beginning July 1, 2015, as required by W.S. § 37-15-501 and Section 500 of the Commission's Rules. The Commission, having heard the presentation of the Fund Manager and comments from Dubois Telephone Exchange, Inc. (Dubois), Range Telephone Cooperative, Inc. (Range), RT Communications Inc. (RT), All West Communications, Inc. (All West), Silver Star Telephone Company, Inc. (Silver Star), and Tri-County Telephone Company (Tri-County), having reviewed its files, the documents filed by the WUSF Manager, and all applicable law, FINDS and CONCLUDES:

1. This matter was initiated by the Commission, upon its own motion, on April 2, 2015, after the filing of a Report of the Fund Manager with Confidential Attachments. An Amended Report was issued on April 24, 2015, following the amended filing of corrected data by Qwest Corporation. Having received written and verbal comments from interested stakeholders and telecommunications carriers, the Commission issued its *Notice and Order Establishing the Wyoming Universal Assessment Level on an Interim Basis* on May 11, 2015.

2. On June 19, 2015, the Fund Manager submitted the Second Amended Report to the Commission with Confidential Attachments, detailing the computation of an assessment level based upon the estimated amount of distributions to be paid from the WUSF as required pursuant to Section 500 of the Commission's Rules. The Report included detailed summaries and supporting schedules relating to the application of the \$30.00 imputed price benchmark addressed in W.S. § 37-15-501(d) and individual company distribution calculations.

3. The Commission received no written comments in response to the Fund Manager's Second Amended Report.

4. This matter came before the Commission at its duly noticed hearing on June 23, 2015. The Fund Manager presented a summary of the Second amended Report to the Commission indicating that she had undertaken the calculations pursuant to the amended version of W.S. § 37-15-501 effective July 1, 2015. The Fund Manager calculated the assessment and proposed company distributions utilizing the \$30.00 imputed price benchmark described in the amended statute W.S. § 37-15-501(d).

5. Liz Zerga, counsel for Dubois, Range, RT, All West and Silver Star commented that her clients were in favor of the Fund Manager's Recommendations included in the Second Amended Report. Mike Rosenthal, counsel for Tri-County, likewise commented and supported adoption of the Fund Manager's Recommendations.

6. At the conclusion of the hearing, the Commission deliberated and determined to utilize the \$30.00 imputed price benchmark outlined in W.S. § 37-15-501(d) established for the twelve-month period beginning July 1, 2015. The Commission approved the proposed distribution schedules for the thirteen companies listed in Confidential Attachments C and D to the Fund Manager's Second Amended Report: Advanced Communications Technologies, Inc., BullsEye Telecom, Inc., CenturyTel of Wyoming, Inc. d/b/a CenturyLink, Chugwater Telephone Company, Inc., Cincinnati Bell Any Distance, Inc., Dubois Telephone Exchange, Inc., Granite Telecommunications, LLC, OrbitCom, Inc., RT Communications, Inc., Silver Star (CLEC) Communications, Inc., Union Telephone Company and United Telephone Company of the West d/b/a CenturyLink of the West.

7. As required by Section 500 of the Commission's Rules, beginning July 1, 2015, telecommunications companies shall report and pay into the Fund proceeds from the 1.20% assessment on their gross intrastate retail revenues in conjunction with the monthly and quarterly reporting requirements of Section 500 of the Commission's Rules.

8. The Commission directs that public notice in this matter be in the following form:

PUBLIC NOTICE

The Wyoming Public Service Commission has established the Wyoming Universal Service Fund assessment level, to be effective for the twelve-month period beginning July 1, 2015, at 1.20% of gross intrastate retail revenues for telecommunications services. For the twelve-month period beginning July 1, 2015, the Commission will apply the statutory imputed price benchmark of \$30.00 and the Commission approved the proposed distribution schedules for the thirteen companies listed in the Fund Manager's Second Amended Report: Advanced Communications Technologies, Inc., BullsEye Telecom, Inc., CenturyTel of Wyoming, Inc. d/b/a CenturyLink, Chugwater Telephone Company, Inc., Cincinnati Bell Any Distance, Inc., Dubois Telephone Exchange, Inc., Granite Telecommunications, LLC, OrbitCom, Inc., RT Communications, Inc., Silver Star (CLEC) Communications, Inc., Union Telephone Company and United Telephone Company of the West d/b/a CenturyLink of the West.

The Wyoming Universal Service Fund was established by the Wyoming Telecommunications Act of 1995 and has since been amended. It is designed to ensure that no subscriber of telecommunications services in Wyoming would be required to pay more than an imputed price benchmark of \$30.00 or upon determination of the Commission, 130% of the statewide average price for essential telecommunications services.

You may review the public documents relating to the Wyoming Universal Service Fund at the Commission's offices in Cheyenne during regular business hours. Customers desiring to compute the change in their expected monthly bill may contact their telecommunications provider

or the Commission during regular business hours.

Anyone desiring to file a statement, petition for intervention, protest or request for a contested case hearing in this matter must so file, in writing, with the Commission on or before August 21, 2015. Any petition shall set forth the grounds of the proposed intervention or request for hearing and the position and interest of the petitioner in this proceeding. Please reference Docket No. 90072-40-XO-15 in your correspondence. If a request for a hearing is granted, an additional intervention period will be provided.

If you wish to participate and require reasonable accommodation for a disability, call the Commission at (307) 777-7427 or write to them at 2515 Warren Avenue, Suite 300, Cheyenne, Wyoming 82002. Communications impaired persons may contact the Commission through Wyoming Relay at 711.

Dated: July 23, 2015

IT IS THEREFORE ORDERED:

1. Pursuant to Commission action taken on June 23, 2015, the Wyoming Universal Service Fund assessment level, effective for the twelve-month period beginning July 1, 2015, is established at 1.20 percent (1.20%) of gross intrastate retail telecommunications revenues.

2. The 1.20 percent (1.20%) assessment level will be applicable to all telecommunications customer billings rendered on and after July 1, 2015.

3. The \$30.00 imputed price benchmark shall apply for the twelve-month period beginning July 1, 2015. The above-described distributions to the thirteen carriers named in the Fund Manager's Second Amended Report issued June 19, 2015, are approved.

4. This *Notice and Order Establishing the Wyoming Universal Service Fund Assessment Level* is effective immediately, subject to notice, protest, opportunity for hearing and further order as the Commission may deem necessary.

MADE and ENTERED at Cheyenne, Wyoming, this day of July 23, 2015.

PUBLIC SERVICE COMMISSION OF WYOMING

Alan B. Minier

ALAN B. MINIER, Chairman

William F. Russell

WILLIAM F. RUSSELL, Deputy Chairman

Kara Brighton

KARA BRIGHTON, Commissioner



Chris Petrie

CHRIS PETRIE, Chief Counsel and Secretary