Fine Drive Telephone Ca.

8611 Central Av. / PO Box 188 Beulah, CO 81023-0188 (719) 485-3400 (voice) (719) 485-3500 (fax) pdtelco@fone.net



July 1, 2005

#### **ADVICE LETTER NO. 76**

Mr. Doug Dean Colorado Public Utilities Commission Logan Towers - Office Level 2 1580 Logan Street Denver, CO 80203

The accompanying tariff sheets issued by the Pine Drive Telephone Company (the Company) are sent to you for filing in compliance with the requirements of the Public Utilities Law:

Colorado P.U.C. No. 2 – Loca 1 Exchange Service Tariff				
New Sheet No.	Title of Section	Canceled Sheet No.		
1st Revised Sheet	N-1-1 Abbreviated Dialing Codes	Original Sheet No.		
No. 56		56		

#### PRINCIPAL PROPOSED CHANGE

The Federal Communications Commission, pursuant to Order 00-256, assigned various N11 codes for specific purposes. This tariff change is institute a switch translation charge for N11services, specifically 211, 311, 511 and 711 services. The proposed rate for this service has been previously approved for Agate Mutual Telephone Cooperative Association. The Company anticipates that revenues generated from this change will be *de minimis*.

Concurrent with this tariff change, the Company is requesting an increase in its support from the Colorado High Cost Support Mechanism under the Rules Prescribing the Procedures for Administering the Colorado High Cost Fund (4 CCR 723-41). As reflected in the accompanying supporting schedules, the Company qualifies for \$593,027 of support for High Cost Average Schedule Providers (Rule 18.4). Accordingly, the Company seeks this amount from the Colorado High Cost Support Mechanism. The Company anticipates that this request will generate increased revenues of \$230,527,

Proprietary exhibits supporting this filing have been sent under separate cover.

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Advice Letter No. 76 Page 2 of 2

#### **EFFECT ON CUSTOMERS**

Other than the aforementioned switch translation rate, no other rates charged by the Company will be changed as a result of this filing. Accordingly, the Company's wholesale or retail customers will not be impacted by this filing.

It is desired that the tariff sheets accompanying this letter become effective on August 5, 2005.

If you have any questions concerning this filing, please contact Kevin Kelly at (719) 266-4334.

Sincerely,

Michele Carpenter
Michele Carpenter

Agent for Pine Drive Telephone Company

per 5/27/05 Authorization Letter

cc:

Richard Sellers, Pine Drive Telephone Company

Rob Trokey, Office of Consumer Counsel

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Exhibit 1, C05-0957 COLO PUC NO. 2 1<sup>st</sup> Revised Sheet No. 56 Cancels Original Sheet No. 56

Rules, Regulations or Extension Policy

#### 3. LOCAL EXCHANGE SERVICE

## AUG 0 3 2005

#### 3.10 N-1-1 ABBREVIATED DIALING CODES

#### 3.10.1 DESCRIPTION

Abbreviated dialing codes enable callers to connect to a location in the phone network that otherwise would be accessible only via a seven or ten-digit telephone number. The network must be pre-programmed to translate the three-digit code into the appropriate seven- or ten-digit telephone number and route the call accordingly. For N-1-1 codes, the first digit can be any digit other than 1 or 0 and the last two digits are both 1.

The following N-1-1 abbreviated dialing codes were assigned for specific uses by FCC Decision Nos. 97-51 and 00-256, issued in CC Docket 92-105:

- 211 Community Information and Referral Services
- 311 Non-Emergency Governmental Services
- 511 Traffic and Transportation Information
- 711 Telecommunications Relay Service

#### 3.10.2 TERMS AND CONDITIONS

The offering of these abbreviated dialing codes can be delivered via regular exchange access lines (by individual business line, residential line, PBX trunks, etc.)

Access to these abbreviated dialing codes is not available through the following dialing arrangements. In addition, operator assisted calls will not be completed.

1+ 0+, 0- (credit card, third-party billing, collect calls) 101XXXX

The company will provide only the delivery of the calls. The entity that has been granted authorization to use the N-1-1 abbreviated dialing code will be responsible for providing any announcements and services to the callers.

#### 3.10.3 RATES

The Company will provide the delivery of calls to the N11 provider over common trunking facilities. If the N11 provider requests the delivery of calls over dedicated trunking facilities, the N11 provider shall be responsible for the actual cost of installing and providing such facilities.

Switch Translation Charge, per switch Dedicated Trunking Facilities

85.00 (I)

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Advice Letter No	76	Richard Sellers	Issue Date	07/05/05
Decision or		Signature of Issuing Officer		
Authority No.		Manager	Effective Date	08/05/05
		Title		

)

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Exhibit	1,	C05-0957

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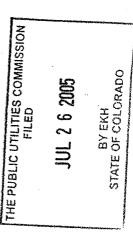
## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PINE DRIVE TELEPHONE COMPANY	)	
8611 CENTRAL AVE., P.O. BOX 188	)	ADVICE LETTER NO. 76
BEULAH, CO 81023-0188	)	

### PROTEST AND REQUEST FOR HEARING OF THE COLORADO OFFICE OF CONSUMER COUNSEL

The Colorado Office of Consumer Counsel ("OCC"), by and through its undersigned counsel, submits the following Protest and Request for Hearing in the above-captioned matter. As grounds therefore, the OCC states:

- 1. On July 1, 2005, Pine Drive Telephone Company ("Pine Drive" or the "Company") filed Advice Letter No. 76 seeking to implement changes to the Company's N11 Services Tariffs and also requesting an increase in its support from the Colorado High Cost Support Mechanism ("CHCSM").
- 2. Advice Letter No. 76 inappropriately combines two unrelated issues: the switch translation charge tariff change for the N11 services, and a request for an additional \$230,527 in support from the CHCSM. A request for additional support from the CHCSM is tantamount to filing a rate case.
- 3. Advice Letter No. 76 affects the constituency the OCC is statutorily mandated to represent pursuant to C.R.S. § 40-6.5-104, as Pine Drive serves residential, agricultural, and small business customers in Colorado.
- 4. The OCC requests that Advice Letter No. 76 be rejected. The reason for the OCC's request is based upon Pine Drive's combination of two unrelated requests



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within its Advice Letter, with only one of the two requests being properly framed as subject matter for an Advice Letter. While the requested N11 Service Tariff changes are properly the subject matter of an Advice Letter, the request for an increase in CHCSM support is properly the subject matter of an Application by Pine Drive. In the alternative, if the Commission chooses not to reject Advice Letter No. 76, then the OCC requests that it be suspended and set for hearing.

- 5. This protest is timely filed.
- 6. The OCC requests that copies of all pleadings, correspondence, notices, rulings, orders, decisions, testimony, exhibits, discovery, and/or notices of any open meetings relating to this proceeding be forwarded to:

P.B. Schechter
Rate/Financial Analyst
Office of Consumer Counsel
1580 Logan Street, Suite740
Denver, CO 80203

and

Gregory E. Bunker, Esq. Assistant Attorney General Office of Consumer Counsel Unit Office of the Attorney General 1525 Sherman St., 5<sup>th</sup> Floor Denver, CO 80203

THE PUBLIC UTILITIES COMMISSION
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WHEREFORE, the OCC protests Pine Drive's Advice Letter No. 76 and respectfully requests that the Commission establish a Docket and set the matter for Hearing.

Dated this day of July, 2005.

JOHN W. SUTHERS Attorney General

Gregory E. Bunker, No.

Assistant Attorney General Office of the Attorney General

1525 Sherman Street, 5th Floor

Denver, Colorado 80203

(303) 866-5354

(303) 866-5342 (Fax)

gregory.bunker@state.co.us

ATTORNEYS FOR THE COLORADO OFFICE OF CONSUMER COUNSEL

> THE PUBLIC UTILITIES COMMISSION FILED

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#### **CERTIFICATE OF SERVICE**

I hereby certify that on this 26th day of July, 2005, the original and 6 copies of the foregoing PROTEST AND REQUEST FOR HEARING OF THE COLORADO OFFICE OF CONSUMER COUNSEL was hand-delivered to:

Doug Dean, Director Colorado Public Utilities Commission 1580 Logan, OL2 Denver, CO 80203

and a copy was faxed, hand-delivered or placed in the United States mail, postage prepaid, and addressed to:

Michelle Carpenter Richard Sellers Pine Drive Telephone Company 8611 Central Ave. P.O. Box 188 Beulah, CO 81023-0188 P.B. Schechter Rate/Financial Analyst Office of Consumer Counsel 1580 Logan Street, Suite740 Denver, CO 80203

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