

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23M-0007T

IN THE MATTER OF THE FILING OF 2022 ANNUAL REPORTS IN ACCORDANCE WITH RULE 4 CCR 723-2-2006 BY CARRIERS HOLDING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OR A LETTER OF REGISTRATION TO PROVIDE TELECOMMUNICATIONS SERVICES IN THE STATE OF COLORADO, OR REGISTERED TO RESELL INTRASTATE TOLL SERVICE.

**INTERIM COMMISSION DECISION
REQUIRING FILING FROM CARRIERS**

Mailed Date: August 8, 2023

Adopted Date: August 2, 2023

I. BY THE COMMISSION

A. Statement

1. By this Decision, the Commission orders certain entities (attached hereto as Attachment A) to file a DR525 Form with the Commission or provide an explanation of why they are not required to do so within fourteen (14) days of the mail date of this Decision.

B. Background

2. On January 3, 2023, the Commission opened this Proceeding to serve as a repository for the filings required by § 40-2-111, C.R.S., and Commission Rule 2006(a) of the Rules Regulating Telecommunications Services and Providers of Telecommunication, 4 Colorado Code of Regulations (CCR) 723-2.

3. By minute entry, this Proceeding was referred to an administrative law judge (ALJ) on January 25, 2023.

4. Pursuant to § 40-2-109, C.R.S., the Commission must provide to the Department of Revenue a list of public utilities subject to its jurisdiction, supervision, and regulation annually. Further, each public utility is required, on or before May 15 of each year to file a return form with the Department of Revenue pursuant to § 40-2-111, C.R.S.

5. Providers of competitive local exchange, emerging competitive, and intrastate toll resale telecommunications services are required, pursuant to § 40-2-111, C.R.S., and Rule 4 CCR 723-2-2006(a), to file an annual report and any other Commission specified information with the Colorado Public Utilities Commission on or before May 15 of each year for the preceding calendar year. Forms must also be properly completed. Pursuant to Commission Rules 2006(a) and 2187 of the Rules Regulating Telecommunications Services and Providers of Telecommunication, 4 CCR 723-2, each provider shall file the return in the form of an annual DR525 form with the Commission.

6. Accordingly, an annual report for the calendar year ending December 31, 2022, and a copy of the Department of Revenue's DR525 form was to have been provided to the Commission before May 1, 2023.

7. Numerous companies have complied with these requirements and uploaded the requisite forms within this proceeding. However, the companies listed on Attachment A, as of the date of this Decision, failed to submit all required forms to the Commission and/or information provided was not complete.

C. Findings and Conclusions

8. Pursuant to § 40-6-101, C.R.S., the Commission previously referred this matter to an ALJ. We find it appropriate to rescind that referral for the limited purpose of issuing this Decision.

9. The Commission finds that each of the entities listed on Attachment A may have failed to comply with the annual reporting requirements enumerated above.

10. We therefore order that each entity listed on Attachment A, no later than 14 days from the mail date of this Decision, file with the Commission the necessary annual reporting requirements with the Commission or provide an explanation of why they are not required to do so.

II. ORDER

A. The Commission Orders That:

1. The entities listed on Attachment A to this Decision shall, no later than 14 days from the mail date of this Decision, file with the Commission, the DR525 Form required by § 40-2-111, C.R.S., and Commission Rule 2006(a) of the Rules Regulating Telecommunications Services and Providers of Telecommunication, 4 Colorado Code of Regulations (CCR) 723-2, or provide an explanation of why they are not required to do so.

2. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
AUGUST 2, 2023.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners