

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0421T

IN THE MATTER OF THE APPLICATION OF MAVERIX BROADBAND, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (CPCN) TO PROVIDE BASIC EMERGENCY SERVICES (4 CCR 723-2-2103 AND 2134) AND TO PROVIDE PART IV SERVICES (4 CCR 723-2-2103) AND A LETTER OF REGISTRATION (LOR) TO PROVIDE SWITCHED ACCESS SERVICES (4 CCR 723-2-2103).

**COMMISSION DECISION GRANTING
APPLICATION WITH CONDITIONS**

Issued Date: November 19, 2024

Adopted Date: November 13, 2024

I. BY THE COMMISSION

A. Statement

1. By this Decision, we grant, with conditions, the application filed by Maverix Broadband, Inc. (“Maverix”) to obtain a Certificate of Public Convenience and Necessity (“CPCN”) to provide local exchange telecommunications services throughout the State of Colorado pursuant to 4 *Code of Colorado Regulations* (“CCR”) 723-25-4, Commission’s Rules Regulating Telecommunications Service and Providers of Telecommunications Service.

B. Background

2. On October 1, 2024, Maverix filed an application requesting a CPCN to provide Basic Emergency Services, Part IV services, and a Letter of Registration (“LOR”) for switched access services. Maverix seeks to provide data and VoIP services throughout Colorado.

3. On October 4, 2024, notice of the application was provided to all persons, firms, or corporations, interested in, or affected by the grant or denial of the request. Interventions were due on or before November 4, 2024. No interventions were received in this proceeding.

4. On October 8, 2024, Maverix filed an amended Application in which they withdrew their request to provide Basic Emergency Services and a Letter of Registration. The amended application also included a notarized affidavit.

5. On October 17, 2024, Maverix filed a supplement to its application, a statement of willingness to provide financial assurance in the form of a bond or a letter of credit as a condition of obtaining its CPCN.

C. Discussion

6. No one has filed an intervention opposing the Application. We, therefore, find that the Application is unopposed and considered without a formal hearing pursuant to § 40-6-109.5, C.R.S.

7. The Commission modified its Rules Regulating Telecommunications Services and Providers of Telecommunications Services, 4 CCR 723-2 (Proceeding No. 16R-0453T, with an effective date of September 1, 2017). The modified rules allow, but do not require, providers offering Part IV services under § 40-15-401, C.R.S., to apply to the Commission to obtain a CPCN.

8. Due to the financial information provided by Maverix, we conclude that financial assurance in the amount of \$4,860 for the issuance of a CPCN is necessary and appropriate in the form of either a bond or a letter of credit and shall be required to be posted with the Commission under the terms and conditions specified in the Attachments to this Decision. The issuance of a bond or letter of credit is consistent with previously issued Commission decisions granting CPCNs when financial fitness is an issue. Section 40-15-503.5, C.R.S., and Commission Rule 2111 allow

the Commission to impose a bond or other security as a condition of obtaining an operating authority.

9. With the issuance of this authority, Maverix must: (1) file a bond or letter of credit consistent with the terms and conditions in Attachment A and AA to this Decision; and (2) comply with all applicable statutory and regulatory requirements pursuant to Rule 2103(a)(XVI), 4 CCR 723-2.

II. ORDER

A. The Commission Orders That:

1. The Application, filed on October 1, 2024, and amended on October 8, 2024, by Maverix Broadband, Inc. is deemed complete within the meaning of § 40-6-109.5, C.R.S., and is granted with conditions herein.

2. Maverix is not required to create and provide tariffs to the Commission.

3. Maverix shall not unjustly discriminate among customers in the same class of service, per Commission Rule 4 *Code of Colorado Regulations* 723-2-2103.

4. Before commencing operations under this CPCN to provide Part IV services, Maverix shall file with the Commission, financial assurance in the form of a bond or letter of credit consistent with the terms and conditions as described in the Attachments to this Decision.

5. If Maverix fails to file financial assurance within one year from the Issued Date of this Decision, this CPCN to provide Part IV services shall be deemed null and void without further action of the Commission. For good cause shown, and if a proper request is filed within one year of the Issued Date of this Decision, the Commission may grant additional time within which to file financial assurance.

6. Consistent with terms and conditions established in previous Commission decisions, Maverix will be required to contribute, as prescribed by statute, rule, or order of the Commission, based on the entirety of its intrastate services regardless of the technology, to the Public Utilities Commission's Telecommunications Utilities Fund, the Colorado High-Cost Support Mechanism, the Colorado Telephone Users Disabilities Fund, the Statewide 9-1-1 Surcharge Trust Cash Fund, the Statewide 9-8-8 Surcharge, and other financial support mechanisms that may be created in the future by the Commission to implement §§ 40-15-502(4) and (5), C.R.S.

7. The 20-day period provided for in § 40-6-114, C.R.S., within which to file an Application for Rehearing, Reargument, or Reconsideration begins on the first day following the effective date of this Decision.

8. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
November 13, 2024.**

(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