

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

DOCKET NO. 02C-576T

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RE: IN THE MATTER OF AN INVESTIGATION OF REGISTERED TOLL RESELLERS OF TELECOMMUNICATIONS SERVICES CONCERNING ALLEGED VIOLATIONS OF COLORADO REVISED STATUTES AND COMMISSION RULES OF PRACTICE AND PROCEDURE RELATING TO THE FILING OF ANNUAL REPORTS BY PUBLIC UTILITIES.

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**DECISION GRANTING EXCEPTIONS**

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Mailed Date: February 13, 2003  
Adopted Date: February 12, 2002

**I. BY THE COMMISSION**

**A. Statement**

1. This matter comes before the Commission for consideration of Exceptions to Decision No. R02-1468 (Recommended Decision) filed by UKI Communications, Inc.; QAI Inc.; National Telephone Company, LLC; Advanced Telecom Inc.; and Shared Communications Services, Inc.<sup>1</sup> In Decision No. R02-1468, issued by the Administrative Law Judge (ALJ) on December 31, 2002, the ALJ recommended revocation of the registrations (as toll resellers) of those telecommunications companies listed on Attachment A to the decision. The companies identified above appeared on Attachment A; therefore, the ALJ is recommending that the registrations of these companies be revoked.

2. Now being duly advised, we grant the Exceptions and Motion to Supplement. The telecommunications companies listed below will be removed from Attachment A of the

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<sup>1</sup> Advanced Telecom Inc., and Shared Communications Services Inc., jointly filed their Exceptions and also jointly filed a Motion to Supplement the Record. In this Motion, the joint movants state that on January 21, 2003, they filed their respective 2001 annual reports and that those reports should be made part of the record in this docket.

Recommended Decision and are dismissed from this proceeding. As a result, the registrations of those companies will not be revoked, as recommended by the ALJ. Otherwise, the Recommended Decision is affirmed.

**B. Discussion**

3. The Commission initiated this show cause proceeding to consider whether the registrations of certain telecommunications companies, including the registrations of those companies now filing Exceptions, should be revoked for failure to file annual reports for calendar year 2001 as required by Commission rules. *See* Decision No. C02-1231 mailed November 5, 2002. After hearing, the ALJ determined that the companies listed on Attachment A to the Recommended Decision had failed to file the required annual report despite numerous inquiries from Commission Staff. Consequently, the ALJ determined, the registrations of those companies should be revoked. The Exceptions followed.

4. The Exceptions and Motion to Supplement pointed out that the excepting companies filed the required annual reports on January 21, 2003 as allowed by the Recommended Decision at ordering paragraph III(A)(4) where it states, “ordering paragraphs 1, 2, and 3 shall be void, and this proceeding shall be dismissed, as to any Respondent listed on Attachment A of this Order which files the required annual report before the effective date of this Order.”

5. We grant the Exceptions and Motion to Supplement. We grant the Exceptions, in part, with the expectation that these companies, to the extent they retain any authority from this Commission, will timely comply with all Commission reporting requirements in the future. We note that the 2002 annual reports are due April 30, 2003.

**II. ORDER****A. The Commission Orders That:**

1. The Exceptions to Decision No. R02-1468 by UKI Communications, Inc., are granted. UKI Communications, Inc., is dismissed from this proceeding.
2. The Exceptions to Decision No. R02-1468 by QAI, Inc., are granted. QAI, Inc., is dismissed from this proceeding.
3. The Exceptions to Decision No. R02-1468 filed by National Telephone Company, LLC, are granted. National Telephone Company, LLC is dismissed from this proceeding.
4. The Exceptions to Decision No. R02-1468 jointly filed by Advanced Telecom, Inc., and Shared Communications Services, Inc., are granted. Advanced Telecom, Inc., and Shared Communications Services, Inc., are dismissed from this proceeding.
5. The Motion to Supplement Record filed by Advanced Telecom, Inc., and Shared Communications Services, Inc., is granted.
6. Except as provided in this Order, Decision No. R02-1468 is affirmed. Except as modified by this Order, the registrations of those telecommunications companies appearing on Attachment A to Decision No. R02-1468 are revoked. Those facilities-based local exchange carriers listed on Attachment B to Decision No. R02-1468 shall disconnect those telecommunications companies remaining on Attachment A within 15 business days after the conclusion of the 20-day period for rehearing, reargument, or reconsideration.
7. The 20-day period provided for in § 40-6-114, C.R.S., within which to file applications for rehearing, reargument, or reconsideration begins on the first day following the Mailed Date of this Decision.

8. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
February 12, 2003.**

(S E A L)



ATTEST: A TRUE COPY

Bruce N. Smith  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

GREGORY E. SOPKIN

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Commissioners