

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-354T

IN THE MATTER OF THE APPLICATION OF COLORADO TELESERV, INC.
FOR A LETTER OF REGISTRATION TO PROVIDE EMERGING COMPETITIVE
TELECOMMUNICATIONS SERVICES.

LETTER GRANTING LETTER OF REGISTRATION

Mailed Date: September 19, 2003
Adopted Date: September 17, 2003

I. BY THE COMMISSION

A. Statement and Findings of Fact

1. On August 13, 2003, Colorado Teleserv, Inc. (Colorado Teleserv), filed a request for a Letter of Registration (LOR) to provide emerging competitive telecommunications services. 4 *Code of Colorado Regulations* (CCR) 723-25.

2. Specifically, Colorado Teleserv seeks a LOR to provide advanced features, premium services, intraLATA toll, interLATA toll, switched access, jurisdictional private line, and non-optional operator services throughout the State of Colorado. Colorado Teleserv's request does not seek any specific form of relaxed regulation.

3. Notice of the application was posted on the Commission's web site on August 15, 2003. Interventions were due on or before September 4, 2003. None were filed.

B. Discussion

4. In Decision No. R97-944, Colorado Teleserv was granted a certificate to provide resold local exchange telecommunications services within the State of Colorado.

5. In Decision No. C98-899, this Commission granted Colorado Teleserv a Certificate of Public Convenience and Necessity to provide local exchange telecommunications services on a resale basis throughout those portions of the State of Colorado in which Qwest Corporation, formerly known as U S WEST Communications, Inc., is currently certified to provide local exchange telecommunications services.

6. Colorado Teleserv has effective tariffs on file with the Commission.

7. The Commission finds that this matter may be considered without a hearing pursuant to § 40-6-109(5), C.R.S.

8. Granting Colorado Teleserv's request is consistent with the legislative policy statements contained in § 40-15-101, C.R.S. Colorado Teleserv has stated sufficient grounds to warrant the approval of its request. Therefore, a LOR will be granted.

9. Providers of non-optional operator services are given specific regulatory treatment. 4 CCR 723-18-5.3. This Order does not grant any other specific form of relaxed regulation.

II. ORDER

A. The Commission Orders That:

1. Colorado Teleserv, Inc., is granted a Letter of Registration to provide emerging competitive telecommunications services throughout the State of Colorado. Colorado Teleserv, Inc., shall not provide advanced features, premium services, intraLATA toll, interLATA toll, switched access, jurisdictional private line, and non-optional operator services in Colorado until: 1) the Commission approves its tariffs or price lists for relevant services; and 2) the applicant

complies with applicable Commission rules and any conditions established by Commission order.

2. Within three years of the Mailing Date of this Decision and Order, Colorado Teleserv, Inc., shall file an advice letter containing a proposed tariff to become effective on not less than 30 days notice. 4 *Code of Colorado Regulations* 723-25. If a Letter of Registration for Nonoptional operator services has been granted, a tariff shall also include the relevant operator service rules. 4 *Code of Colorado Regulations* 723-18-6. Colorado Teleserv, Inc., may also file a separate price list with the tariff.

3. If Colorado Teleserv, Inc., fails to file a tariff and price list pursuant to ordering paragraph 2 above, this Decision and Order shall be deemed null and void. For good cause shown, and if a proper request is filed within three years of the Mailing Date of this Decision and Order, the Commission may grant Colorado Teleserv, Inc., additional time within which to file a tariff and price list.

4. Colorado Teleserv, Inc., will be required to participate in the High Cost Support Mechanism and the Public Utilities Commission Fixed Utilities Fund. Colorado Teleserv, Inc., shall participate in any other financial support mechanisms that may be created in the future to implement §§ 40-15-502(4) and (5), C.R.S. Failure to do so may result in revocation of the Letter of Registration.

5. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
September 17, 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

POLLY PAGE

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Commissioners