

Decision No. C04-0104

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

DOCKET NO. 03R-524T

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IN THE MATTER OF PROPOSED REPEAL AND REENACTMENT OF RULES  
REGULATING TELEPHONE UTILITIES AND PROVIDERS AS FOUND IN 4 CCR 723-2,  
4 CCR 723-7, 4 CCR 723-12, 4 CCR 723-13, 4 CCR 723-18, 4 CCR 723-22, 4 CCR 723-24,  
4 CCR 723-25, 4 CCR 723-27, 4 CCR 723-28, 4 CCR 723-29, 4 CCR 723-30, 4 CCR 723-34,  
4 CCR 723-38, 4 CCR 723-39, 4 CCR 723-40, 4 CCR 723-41, 4 CCR 723-42, 4 CCR 723-43,  
4 CCR 723-44, 4 CCR 723-45, 4 CCR 723-46, 4 CCR 723-48, 4 CCR 723-49, 4 CCR 723-52,  
AND 4 CCR 723-53.

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**DECISION GRANTING JOINT MOTION IN PART**

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Mailed Date: January 28, 2004  
Adopted Date: January 28, 2004

**I. BY THE COMMISSION**

**A. Statement**

1. On January 22, 2004, the Colorado Office of Consumer Counsel (OCC), Qwest Corporation, WorldCom, Inc., on behalf of its subsidiaries, AT&T Communications of the Mountain States, Inc., DIECA Communications, Inc., doing business as Covad Communications Company, McLeod Communications Services, Inc., Time Warner Telecom of Colorado, LLC, and WW Holding Company, Inc. (collectively the Joint Movants), filed a Joint Motion to amend the procedural schedule set by the Commission for this Docket in Decision No. C03-1393.

2. The Joint Movants state that their participation in Docket Nos. 03I-478T and 03I-485T overlaps the procedural schedule for this rulemaking. For the Joint Movants, the same technical staff and counsel are working on all three dockets here in Colorado and in other states.

3. Therefore, the Joint Movants request the Commission vacate the current comment and hearing dates for this rulemaking and reset those dates as follows:

Initial Comments: June 4, 2004

Reply Comments: June 18, 2004

Hearing: week of July 12, 2004

4. Upon review of this motion and after consultation with the Staff of the Commission (Staff) assigned to this rulemaking proceeding, we will grant the Joint Motion in part. We sympathize with the Joint Movants in the tremendous amount of work that is currently required of them in various on-going proceeding. However, due to Staff and the Commissioners' future required work we will reset the rulemaking comment and hearing dates as follows:

Initial Comments: July 12, 2004

Reply Comments: July 26, 2004

Hearing: week of August 23, 2004

5. Vacating the current hearing dates and resetting them to the dates above require a re-publication in *The Colorado Register*. We will issue a Supplemental Notice of Proposed Rulemaking to accomplish this notice.

6. Coordination of this rulemaking with other planned rulemaking proceedings for Practice and Procedure, Gas, Transportation, Electric, Steam, Railroads, and Water is still a concern. Because of the need to coordinate all efforts, additional hearing dates may be set for that purpose.

**II. ORDER**

**A. The Commission Orders That:**

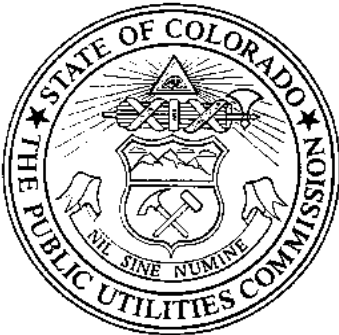
1. The Joint Motion Requesting an Amendment to the Procedural Schedule Set in Commission Decision No. C03-1393 filed by Colorado Office of Consumer Counsel, Qwest Corporation, WorldCom, Inc., on behalf of its subsidiaries, AT&T Communications of the Mountain States, Inc., DIECA Communications, Inc., doing business as Covad Communications Company, McLeod Communications Services, Inc., Time Warner Telecom of Colorado, LLC, and WW Holding Company, Inc., is granted in part consistent with the above discussion.

2. Response time to the Joint Motion is waived.

3. This Order is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
January 28, 2004.**

(SEAL)



ATTEST: A TRUE COPY

**Bruce N. Smith  
Director**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

**GREGORY E. SOPKIN**

**POLLY PAGE**

**JIM DYER**

Commissioners