

**Default, Alternative, and Simplified Forms of Regulation; Refraining from Regulation; and
Reclassification of Parts II and III Services**

Basis, Purpose, and Statutory Authority

The basis and purpose of these rules is to identify default forms of regulation for services subject to the jurisdiction of the Commission and to establish procedures and standards concerning: alternative forms of regulation; simplified regulatory treatment for rural telecommunications providers; refraining from regulation for competitive purposes; reclassifying a regulated telecommunication service as an emerging competitive service; and deregulation of emerging competitive services.

The statutory authority for the promulgation of these rules is found at §§ 40-15-101, 40-15-112, 40-15-113, 40-15-201, 40-15-203, 40-15-203.5, 40-15-207, 40-15-301, 40-15-302, 40-15-305, 40-15-306, 40-15-501, 40-15-502, 40-15-503, and 40-2-108, C.R.S.

2200. Applicability.

Rules 2200 through 2299 are applicable to all providers of services pursuant to § 40-15-201, C.R.S., (Part II) or pursuant to § 40-15-301, C.R.S., (Part III or emerging competitive services); except that rule 2202 is only applicable to ILECs, rule 2203 is only applicable to CLECs, and Part III providers, rule 2206 is only applicable to rural ILECs, and rule 2210 is only applicable to intraLATA interexchange telecommunications services providers. Nothing in rules 2200 through 2299 shall limit the Commission's authority to investigate the rates and charges assessed by providers.

2210. Deregulation of IntraLATA Interexchange Telecommunications Services.

To apply for deregulation of intraLATA interexchange telecommunications services (intraLATA toll services), pursuant to § 40-15-306 C.R.S., a provider shall file an application with the Commission. The applicant may complete the Commission-issued application form, or may file a separate pleading with the information and documentation set forth below.

- (a) Contents of Application. The application shall contain the following information:
 - (i) Applicant's name, complete mailing address (street, city, state and zip code), telephone number, and the name(s) under which the applicant is providing intraLATA toll services in Colorado, the name of the person filing the application, the representative's title or relationship to the applicant and e-mail address of the representative;

- (II) Name, mailing address, telephone number and e-mail address of the person to contact for questions about the application;
 - (III) Commission Decision number that granted the applicant the authority to provide intraLATA toll services (the Decision that granted a CPCN and/or LOR, whichever is applicable);
 - (IV) Whether the applicant provides toll service on a resale basis from another facilities-based provider;
 - (V) Whether the applicant has effective tariffs on file with the Commission for the offering of intraLATA toll;
 - (VI) Acknowledgement that within ten days of Commission approval to deregulate the applicant's intraLATA toll authority, the applicant shall make a compliance filing(s) in the form of an Advice Letter and/or Transmittal Letter (whichever is applicable), effective on not less than 14-days notice, to modify its effective tariff and/or price list by deleting all reference to intraLATA toll offerings or identify intraLATA toll offerings as deregulated by the Commission; and
 - (VII) An affidavit signed by an officer, partner, owner, or authorized agent, who is authorized to act on behalf of the applicant, stating that the contents of the application are true, accurate, and correct and that the applicant will fully comply with all of the requirements in the Decision which grants the authority to deregulate its intraLATA toll services.
- (b) Providers of IntraLATA interexchange telecommunications services shall continue to comply with all Commission rules and applicable statutes not expressly excluded by C.R.S. § 40-15-401.

2211. Combined Applications.

An applicant may file an application for an alternative form of regulation, an application for reclassification, and/or an application for deregulation, in combination with any other application, e.g., an application for a CPCN. In a combined application, the applicant shall provide all information required for each component of the combined application.

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