

Decision No. C11-1324

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

DOCKET NO. 11M-984T

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IN THE MATTER OF SETTING THE ANNUAL TELEMARKETER FEES FOR THE  
ADMINISTRATION OF THE COLORADO NO-CALL LIST.

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**COMMISSION ORDER SETTING  
FEES FOR CALENDAR YEAR 2012**

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Mailed Date: December 9, 2011  
Adopted Date: December 7, 2011

**I. BY THE COMMISSION**

**A. Statement**

1. Section 6-1-901, C.R.S., *et seq.*, and Rules 2890 through 2899 of the Rules Regulating Telecommunications Providers, Services, and Products, 4 *Code of Colorado Regulations* 723-2, govern the Colorado No-Call List program. The Rules require telephone solicitors to register and submit an annual registration fee to the Designated Agent for the Colorado No-Call List program. Moneys from the fees collected by the Designated Agent are intended to cover the direct and indirect costs of the Colorado No-Call List program. These costs include the contractual expenses to pay the Designated Agent to administer the program and the legislative appropriation to the Department of Law to enforce the program requirements.

2. Rule 2892(b) requires that the Commission set the annual registration fees on a sliding scale between \$0.00 and \$500.00 to ensure that the required revenues are raised annually. The maximum fee is applicable to those companies, persons, or entities with more than 1,000 employees. Companies, persons, or entities with fewer than five employees are not required to pay a registration fee.

3. Since the inception of the program, the number of telemarketers registering and paying the required annual fee has been decreasing and this trend is not expected to change. The estimated registration fees for 2012 will not be sufficient to cover the costs of both administering and enforcing this program.

4. Nonetheless, the Commission is obliged to minimize this shortfall. Maximum fees are statutorily capped and the Commission is mandated to set the registration fees on a sliding scale. To best meet the needs of the program, we establish the following telemarketer registration fees for the Colorado No-Call List for calendar year 2012:

| <b>2012 Telemarketer<br/>Registration Fees</b> |                   |
|--|-------------------|
| <b># of Employees</b>                          | <b>Fee Amount</b> |
| 1-4 Employees                                  | \$ 0              |
| 5-10 Employees                                 | \$ 250            |
| 11-50 Employees                                | \$ 350            |
| 51-100 Employees                               | \$ 450            |
| 101-250 Employees                              | \$ 470            |
| 251-400 Employees                              | \$ 480            |
| 401-1000 Employees                             | \$ 490            |
| 1001 or Greater Employees                      | \$ 500            |

**II. ORDER**

**A. The Commission Orders That:**

1. The Colorado No-Call List Annual Registration Fees are hereby set as specified above in paragraph no. 4, effective January 1, 2012 through December 31, 2012.

2. 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 effective date of this Order.

3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
December 7, 2011.**

( S E A L )



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

JOSHUA B. EPEL

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JAMES K. TARPEY

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MATT BAKER

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Commissioners