Decision No. C14-1507

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-1024T

IN THE MATTER OF THE APPLICATION OF WIDE VOICE, LLC FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES, FOR A LETTER OF REGISTRATION TO PROVIDE EMERGING COMPETITIVE TELECOMMUNICATIONS SERVICES, AND SPECIFIC FORMS OF PRICE REGULATION.

DECISION GRANTING APPLICATION

Mailed Date: December 23, 2014
Adopted Date: December 17, 2014

I.   BY THE COMMISSION

A.   Statement and Findings of Fact

1.   On October 20, 2014, Wide Voice, LLC (Wide Voice), filed an application for a Certificate of Public Convenience and Necessity (CPCN) to provide local exchange telecommunications services and for a Letter of Registration (LOR) to provide emerging competitive telecommunications services pursuant to Rule 2103 of the Commission's Rules Regulating Telecommunications Providers, Services, and Products, 4 *Code of Colorado Regulations* 723-2.

2.   On October 20, 2014, notice of the application was provided to all persons, firms, or corporations, interested in or affected by the grant or denial of the requested relief. Interventions were due on or before November 19, 2014. No interventions were filed.

B.   Discussion

3.   The application is complete and unopposed and therefore may be considered without a hearing pursuant to § 40-6-109(5), C.R.S.

4.   During the course of Commission Staff's review of Wide Voice, a concern arose about the issue of inappropriate traffic stimulation. On December 5, 2014, Wide Voice filed a supplement to its application. The supplement represented that Wide Voice is not engaged in traffic stimulation in any jurisdiction and is fully aware of the Connect America Fund Order issued by the Federal Communications Commission that includes rules that greatly diminish the financial advantages from engaging in traffic stimulation.

5.   We find that granting Wide Voice's application is consistent with the legislative policy statements contained in §§ 40-15-101, 40-15-501, and 40-15-502, C.R.S. Therefore, we grant Wide Voice's application for a CPCN to provide local exchange telecommunications services and an LOR to provide emerging competitive telecommunications services pursuant to Rule 2103.

6.   Before providing local exchange services Wide Voice must: (1) have effective tariffs for its services on file with the Commission; and (2) comply with all statutory and regulatory requirements applicable to telecommunications providers subject to the jurisdiction of the Commission pursuant to Rule 2103.

II.   ORDER

A.   The Commission Orders That:

1.   The application of Wide Voice LLC, Inc. (Wide Voice) is deemed complete.

2.   Applicant Wide Voice is granted a Certificate of Public Convenience and Necessity (CPCN) to provide local exchange telecommunications services. A detailed description of the Applicant's service territory will be delineated in the exchange maps, or incorporated by reference, and through a list of the local calling areas in Wide Voice's tariff.

3. Applicant Wide Voice's local exchange telecommunications services will be regulated under the regulatory scheme it selected pursuant to Rule 2203, 4 *Code of Colorado Regulations* 723-2, Option 1.

4. Applicant Wide Voice is granted a Letter of Registration (LOR) to provide the following emerging competitive telecommunications service throughout Colorado: Advanced Features, Premium Services, IntraLATA toll, and Switched Access.

5. Applicant Wide Voice's emerging competitive telecommunications service will be regulated under the regulatory scheme it selected pursuant to Rule 2203, Option 1.

6. Applicant Wide Voice shall serve customers in its service territory on a non-discriminatory basis. "Service territory" shall be defined as that portion of Colorado included in the local exchange maps provided or incorporated by reference in the Applicant's tariff. However, Wide Voice shall not be required to extend service to customers where the underlying facilities-based provider has no facilities.

7. Before commencing operations under this CPCN to provide local exchange telecommunications services and an LOR to provide emerging competitive telecommunications services, Wide Voice shall file an Advice Letter and accompanying tariff, on not less than 30 days' notice, to be effective within 1 year from the Mailed Date of this Decision. The proposed tariff shall contain all the information required under Rule 2122. Applicant Wide Voice may also file a separate price list in addition to its proposed tariff under Rule 2123.

8. If Wide Voice fails to file an Advice Letter and proposed tariff that is effective within one year from the Mailed Date of this Decision, this CPCN to provide local exchange telecommunications services and this LOR to provide emerging competitive telecommunications services shall be deemed null and void without further action of the Commission.

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For good cause shown, and if a proper request is filed within one year of the Mailed Date of this Decision, the Commission may grant Wide Voice additional time within which to file a tariff.

9.   We will also require Wide Voice to maintain its books of accounts and records using Generally Accepted Accounting Principles.

10.   Applicant Wide Voice will be required to contribute, if applicable, for all intraLATA services, to the Public Utilities Commission's Fixed Utilities Fund, the Colorado High Cost Support Mechanism, the Disabled Telephone Users Fund, and other financial support mechanisms that may be created in the future by the Commission to implement §§ 40-15-502(4) and (5), C.R.S.

11.   The 20-day time period provided by § 40-6-114, C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the effective date of this Decision.

12.   This Decision is effective on its Mailed Date.

**B.   ADOPTED IN COMMISSIONERS' WEEKLY MEETING
December 17, 2014.**

(S E A L)   THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

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PAMELA J. PATTON

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ATTEST: A TRUE COPY

GLENN A. VAAD

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Commissioners

Doug Dean,
Director