

Decision No. C21-0208

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 21A-0095T

IN THE MATTER OF THE APPLICATION OF DIRECTLINK INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (CPCN) TO PROVIDE PART IV SERVICES (4 CCR 723-2-2103).

DECISION GRANTING APPLICATION

Mailed Date: April 9, 2021

Adopted Date: April 7, 2021

I. BY THE COMMISSION

A. Statement

1. By this Decision, we grant the application of DirectLink Inc. (DirectLink) for a Certificate of Public Convenience and Necessity (CPCN) to provide Part IV services in Colorado, as discussed below.

B. Background

2. On March 2, 2021, DirectLink filed an Application for a CPCN to provide Part IV services. Specifically, DirectLink seeks to provide residential and commercial broadband service throughout the State of Colorado, using Voice over Internet Protocol service, pursuant to Rule 2103 of the Rules Regulating Telecommunications Services and Providers of Telecommunications Services, 4 *Code of Colorado Regulations* (CCR) 723-2.

3. On March 2, 2021, a notice of the Application was provided to all persons, firms, or corporations interested in or affected by the grant or denial of the request. Interventions were due on or before April 1, 2021. No interventions were received in this proceeding.

C. Discussion

4. No one has filed an intervention opposing the Application. We therefore find that the Application is unopposed and consider it without a formal hearing pursuant to § 40-6-109(5), C.R.S.

5. The Commission modified its Rules Regulating Telecommunications Services and Providers of Telecommunications Services, 4 CCR 723-2 (Proceeding No. 16R-0453T, with an effective date of September 1, 2017). The modified rules allow providers offering Part IV services under § 40-15-401, C.R.S., to apply to the Commission to obtain a CPCN. No CPCN is required for services classified in Part IV of Article 15 of Title 40 of the Colorado Revised Statutes.

6. With the issuance of this authority, DirectLink must: comply with all statutory and regulatory requirements pursuant to Rule 2103(a)(XVI), 4 CCR 723-2.

II. ORDER

A. The Commission Orders That:

1. DirectLink Inc. is granted a Certificate of Public Convenience and Necessity to provide Part IV services on a statewide basis.

2. DirectLink Inc. is not required to create and provide tariffs to the Commission.

3. DirectLink Inc. shall not unjustly discriminate among customers in the same class of service, per Commission Rule 4 *Code of Colorado Regulations* 723-2-2103.

4. Consistent with terms and conditions established in previous Commission decisions, DirectLink, Inc. will be required to contribute, as prescribed by statute, rule, or order of the Commission, based on the entirety of its intrastate services regardless of the technology, to the Public Utilities Commission's Telecommunications Utilities Fund, the Colorado High Cost

Support Mechanism, the Colorado Telephone Users Disabilities Fund, the Statewide 9-1-1 Surcharge Trust Cash Fund, and other financial support mechanisms that may be created in the future by the Commission to implement §§ 4015-502(4) and (5), C.R.S.

5. 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 Decision.

6. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
April 7, 2021.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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JOHN GAVAN

MEGAN M. GILMAN

Commissioners