

Decision No. C22-0714-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 22A-0476T

IN THE MATTER OF THE APPLICATION GUNNISON/HINSDALE COMBINED
EMERGENCY TELEPHONE SERVICE AUTHORITY TO INCREASE THE EMERGENCY
TELEPHONE CHARGE.

**INTERIM COMMISSION DECISION ESTABLISHING
SHORTENED NOTICE AND INTERVENTION PERIOD**

Mailed Date: November 14, 2022
Adopted Date: November 9, 2022

I. BY THE COMMISSION

A. Statement

1. This Decision establishes a shortened notice and intervention period on the Commission's own motion pursuant to 4 *Code of Colorado Regulations* 723-2-2102 (b) for the Application filed by the Gunnison/Hinsdale Combined Emergency Telephone Service Authority (Applicant) on October 31, 2022.

2. Requests for intervention, including a notice of intervention by right of Staff of the Colorado Public Utilities Commission (Staff), shall be filed no later than **November 23, 2022**.

B. Discussion

3. On October 31st, 2022, the Applicant filed its application pursuant to § 29-11-102(2)(c), C.R.S., for approval of an emergency telephone charge increase from \$2.00 to \$3.00 per service user per month (Application). The requested effective date in the Application is February 1, 2023. If approved, the additional revenue from the increased charge must be used by

the Applicant for purposes outlined in § 29-11-104, C.R.S., generally for the operation of an emergency telephone service and emergency notification service.

4. The Commission issued notice on November 2, 2022, establishing a deadline for intervention of December 2, 2022.

5. Per statute, the effective date for a new emergency telephone charge rate must be either February 1 or June 1 of each year. The governing body establishing the new rate must also provide 60 days' notice to the providers required to assess and remit the charge. § 29-11-102(2)(b)

6. The default intervention deadline of December 2, 2022 coincides with the date that the Applicant would be required to provide notice to the providers for a February 1, 2023 effective date, and is therefore incompatible with the requested effective date.

II. FINDINGS AND CONCLUSIONS

7. Paragraph (d) of Rule 4 CCR 723-1-1206 of the Commission's Rules of Practice and Procedure, states that unless shortened by Commission decision or rule, the intervention period for notice mailed by the Commission shall expire 30 days after the mailing date. Paragraph (3) of 4 CCR 723-1-1206 requires the Commission's notice to state the date by which any objection, notice of intervention of right, or motion to permissively intervene must be filed.

8. We find good cause to implement a shortened notice and intervention period for the Application and establish a 21-day notice and intervention period with the purpose of allowing the Commission to potentially grant a final decision regarding the Application by November 30, 2022, and allow for the Applicant's requested February 1, 2023, effective date.

9. Requests for intervention, including a notice of intervention by right of Staff, shall

be filed no later than **November 23, 2022**.

10. The Applicant is directed to publish notice pursuant to 4 CCR 723-2-2147 (c) reflecting the new intervention deadline.

III. ORDER

A. It Is Ordered That:

1. The notice and intervention period for the Application filed by Gunnison/Hinsdale Combined Emergency Telephone Service Authority (Applicant) shall expire at **5:00 pm on November 23, 2022**.

2. Any person desiring to intervene or participate as a party in this proceeding, including Staff of the Colorado Public Utilities Commission, shall file a petition for leave to intervene, or under the Commission's Rules of Practice and Procedure, 4 CCR 723-1, file other appropriate pleadings to become a party, no later than **November 23, 2022**.

3. All persons who file an objection, notice of intervention as of right, motion to permissively intervene, or any other appropriate pleading shall do so in accordance with the instructions set forth in the Commission's Rules of Practice and Procedure and this Decision.

4. The Applicant shall publish notice pursuant to 4 CCR 723-2-2147 (c) to reflect an intervention deadline of November 23, 2022, and file proof of publication in the proceeding prior to that date.

5. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
November 9, 2022.**

(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