

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0500T

IN THE MATTER OF THE APPLICATION OF THE WASHINGTON-YUMA COUNTIES
EMERGENCY TELEPHONE SERVICES AUTHORITY TO INCREASE THE EMERGENCY
TELEPHONE CHARGE PURSUANT TO C.R.S. § 29-11-102(2)(C).

**COMMISSION DECISION DEEMING APPLICATION
COMPLETE AND GRANTING APPLICATION**

Mailed Date: November 28, 2023
Adopted Date: November 22, 2023

I. BY THE COMMISSION

A. Statement

1. On October 9th, 2023, the Washington-Yuma Counties Emergency Telephone Services Authority (Applicant or Company) filed its application pursuant to § 29-11-102(2)(c), C.R.S., for approval of an emergency telephone charge increase from \$1.97 to \$3.25 per service user per month (Application).

2. On October 11, 2023 the Commission gave notice of the Application stating that parties wishing to participate in this Proceeding should file an Intervention or other appropriate pleading within 30 days after the date of the Notice.

3. On October 27, 2023, the Applicant filed an Affidavit attesting that it had published notice of the Application in a local newspaper as required by Commission's Rules Regulating Telecommunications Services and Providers of Telecommunications Services, 4 *Code of Colorado Regulations* 723-2-2147 (d).

4. No interventions were filed or public comments received in response to this

Application.

5. The Commission has reviewed the record in this matter and deems that the Application is complete within the meaning of § 29-11-102(2)(c).

6. Now, being fully advised of the matter, we grant the Application.

II. FINDINGS AND CONCLUSIONS

7. Since the Application is now uncontested, the matter will be considered pursuant to the Commission's modified procedure, § 40-6-109(5), C.R.S., and the Commission's Rules of Practice and Procedure, 4 CCR 723-1-1403.

8. The Applicant is a governing body as defined in § 29-11-101(16), C.R.S. The Company's status as a governing body is established by an Intergovernmental Agreement, a copy of which was included in the Application as WY Comm-911 Authority IGA.

9. A governing body may incur equipment, installation, and other costs directly related to the continued operation of emergency telephone service pursuant to § 29-11-102, C.R.S. Such allowable costs may be categorized as equipment directly related to the receipt and routing of emergency calls, monthly recurring charges for the emergency telephone service, reimbursement of costs for equipment changes necessary for the provision or transmission of wireless Automatic Number Identification or wireless Automatic Location Identification to a public safety answering point (PSAP), costs related to the provision of emergency notification service and emergency telephone service, and "other" directly related costs. Expenses for public safety radio equipment and personnel expenses necessarily incurred for a PSAP or governing body may also be paid with funds collected from 911 charges. § 29-11-104(2)(a), C.R.S.

10. A governing body is statutorily authorized to collect up to a threshold set annually

by the Commission, per month per 911 access connection to cover such costs of service within its jurisdiction. The threshold for 2024 has been set by the Commission at \$2.05.¹ In the event that a governing body determines that a charge in excess of this threshold is necessary to provide adequate emergency telephone service, the governing body shall obtain the approval of the Commission before imposing such higher charge. § 29-11-102(2), C.R.S.

11. Currently, the monthly emergency telephone charge is \$1.97 in the Applicant's service territory. The Application seeks to increase the charge to \$3.25 per month.

12. The Company is supported by the affidavit and verification of the information filed with the Commission by the Applicant.

13. The Applicant funds one Public Safety Answering Point (PSAP), that being the Washington-Yuma Combined Communications Center.

14. The Applicant has determined that an increase in the emergency telephone charge is needed for several reasons, including: (1) Equipment expenses, specifically a replacement of radio consoles and phone system upgrades; and (2) Increased operational expenses for insurance, maintenance agreements, and administration.

15. The increase requested by the Applicant will increase revenues for the Applicant by an average of roughly \$196,000 per year, or about \$1,175,800 over the next six years. Without any increase, the Applicant will either exhaust its funds in 2024 or be forced to forgo some of its planned expenses. With the requested increase, assuming no unforeseen costs, funding should be sufficient for at least the next six years.

16. Based on this evidence, the Commission agrees with Applicant that additional

¹ See Decision C23-0641 in Proceeding No. 23M-0385T.

funding that would be raised by an emergency telephone charge rate of \$3.25 is necessary in order to maintain the current level of expenditure of all categories of expense allowed pursuant to § 29-11-104(2), C.R.S., and to pay for the Applicant's proposed expenses.

III. ORDER

A. The Commission Orders That:

1. The application of the Washington-Yuma Counties Emergency Telephone Services Authority (Applicant) seeking to increase the emergency telephone charge to \$3.25 per access line per month is deemed complete within the meaning of § 29-11-102(2)(c).

2. The Application is granted.

3. The Applicant shall notify each affected service provider of the increase in the emergency telephone charge at least 60 days prior to the new rate becoming effective.

4. 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.

5. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
November 22, 2023.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners