

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0103T

IN THE MATTER OF THE APPLICATION OF SAN JUAN COUNTY EMERGENCY TELEPHONE SERVICE AUTHORITY FOR A SURCHARGE INCREASE PURSUANT TO C.R.S. 29-11-102(2)(B).

**INTERIM DECISION GRANTING MOTION FOR
ALTERNATIVE FORM OF NOTICE**

Mailed Date: February 14, 2014
Adopted Date: February 13, 2014

I. BY THE COMMISSION

A. Statement

1. On January 28, 2014, San Juan County Emergency Telephone Service Authority (Authority) filed an application to increase the emergency telephone charge from \$1.00 to \$1.75 per service user per month for San Juan County under § 29-11-102(2)(b), C.R.S. (Application).

2. On January 31, 2014, the Authority also filed a Motion for Authorization to Give Notice pursuant to Rule 2002(d) (Motion). Specifically, the Authority seeks authorization to use the following form of notice:

(a) publishing the notice in the *Silverton Standard and Miner* on Thursday, February 6 and again on Thursday, February 13, 2014. The *Silverton Standard and Miner* is the only newspaper of any sort in San Juan County and is a weekly newspaper published each Thursday; and

(b) posting notice at the San Juan County Courthouse on the bulletin board on which all public notices issued by San Juan County are posted.

3. The Authority attaches its proposed notice to the Motion.

4. Section 40-3-104, C.R.S., sets forth the Colorado Legislature's findings as to the appropriate notice when the rates for public utility services (e.g., telephone service) are changed.

The Commission has interpreted § 40-3-104, C.R.S., to not apply to emergency telephone service providers because such entities are not regulated public utilities.

5. Nevertheless, because the Authority must obtain approval from the Commission of its proposed surcharge and must file a formal application with the Commission to obtain that approval, the Commission has the authority to specify the notice that an emergency telephone provider must provide in this kind of application.

6. The Commission finds good cause to grant the Motion. The alternative form of notice proposed by the Authority is reasonable with respect to the stakeholders and the general public. However, because the Authority has already published the Notice of Application before the Commission granting the Motion, the Commission will require notice be published in the *Silverton Standard and Miner* for an additional two weeks, or through February 27, 2014. This will provide sufficient time for any person who wishes to oppose or intervene in this proceeding.

7. Pursuant to Rule 1206(d), 4 *Code of Colorado Regulations* 723-1 of the Commission's Rules of Practice and Procedure, the intervention period for the notice mailed by the Commission shall expire 30 days after the mailing date. The Commission mailed the Notice of Application on January 30, 2014. Therefore, the intervention period, including for Staff of the Commission, shall expire at 5:00 p.m., March 3, 2014.

II. ORDER

A. The Commission Orders That:

1. The Motion for Authorization to Give Notice filed on January 31, 2014 by San Juan County Emergency Telephone Service Authority (Authority) is granted.

2. The Authority shall publish notice of its Application to increase the emergency telephone charge in the *Silverton Standard and Miner* for an additional two weeks, or through February 27, 2014.

3. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
February 13, 2014.**

(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

PAMELA J. PATTON

GLENN A. VAAD

Commissioners