

Decision No. C23-0125

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 22R-0122T

IN THE MATTER OF THE PROPOSED AMENDMENTS TO RULES IN 4 CODE OF
COLORADO REGULATIONS 723-2 MODIFYING THE COMMISSION RULES
REGARDING BASIC EMERGENCY NETWORK RELIABILITY.

**COMMISSION DECISION AMENDING DECISION NO. R22-0811
PURSUANT TO § 40-6-112(1), C.R.S.**

Mailed Date: February 22, 2023
Adopted Date: February 22, 2023

I. BY THE COMMISSION

A. Statement, Findings and Conclusions

1. On December 22, 2022, through Decision No. R22-0811, amendments to rules in 4 *Code of Colorado Regulations* (CCR) 723-2, Rules Regulating Telecommunications Services and Providers of Telecommunications Services, were adopted.

2. In those adopted rules, Rule 4 CCR 723-2-2143(b) requires that each Basic Emergency Service Provider (BESP) file with the Commission an improvement plan application by February 15, 2023, followed by applications or amendments to the original application on February 15 every two years thereafter.

3. Because of unforeseen delays in the conclusion of this rulemaking, these adopted rules are not expected to be effective until mid- or late-March of 2023, past the date that the initial improvement plan is due per the adopted rules.

4. Therefore, on our own motion, we amend Decision No. R22-0811 pursuant to § 40-6-112(1), C.R.S., and establish an alternate deadline for the first improvement plan to be filed on April 3, 2023. However, this amendment to Decision No. R22-0811 does not amend the requirement in Rule 2143(b) that going forward, a BESP will be required to file an improvement plan application or amendment every two years due no later than February 15, 2023.

II. **ORDER**

A. **It Is Ordered That:**

1. Decision No. R22-0811, issued December 22, 2022, is amended pursuant to § 40-6-112(1), C.R.S., on the Commission's own motion.

2. The February 15, 2023 deadline for a Basic Emergency Service Provider to file an improvement plan application found in Rule 4 *Code of Colorado Regulations* 723-2-2143(b) is extended to April 3, 2023 to allow for the publication of the adopted rules by the Secretary of State, prior to the application being due.

3. 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.

4. This Decision is effective upon its Mailed Date.

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

(S E A L)



ATTEST: A TRUE COPY

G. Harris Adams,
Interim Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners