

**THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO**

**RULES REGULATING TELECOMMUNICATIONS SERVICE PROVIDERS
AND TELEPHONE UTILITIES**

4 CODE OF COLORADO REGULATIONS (CCR) 723-2

RULE (4 CCR) 723-2-21. NETWORK CALL COMPLETION REQUIREMENTS.

723-2-21.2 Operator Assisted Calls.

723-2-21.2.3 Each provider offering operator assistance to the public shall provide a service that can answer 85 percent of intercept, toll and local assistance calls within 10 seconds.

**THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO**

**RULES REGULATING OPERATOR SERVICES FOR
TELECOMMUNICATIONS SERVICE PROVIDERS AND TELEPHONE UTILITIES**

4 CODE OF COLORADO REGULATIONS (CCR) 723-18

RULE (4 CCR) 723-18-3 NONOPTIONAL OPERATOR SERVICES.

723-18-3.1 Nonoptional operator services include, but are not limited to:

3.1.6 [Repealed]

RULE (4 CCR) 723-18-4. OPTIONAL OPERATOR SERVICES.

723-18-4.1 Optional operator services provided by operators to customers which offer individualized and select call processing include, but are not limited to:

723-18-4.1.6 Directory assistance.

RULE (4 CCR) 723-18-5. MANNER OF REGULATION.

723-18-5.4 Persons who provide nonoptional operator services shall charge just and reasonable rates pursuant to Section 40-3-101, C.R.S.

723-18-5.4.1 All rates, terms, and conditions shall be stated in tariffs on file with the Commission unless, the Commission has deregulated a specific nonoptional operator service. Rates, terms, and conditions for deregulated or

optional operator services shall not be included in tariffs or price lists for nonoptional operator services.

723-18-5.4.2 Operator service tariff rates must be just and reasonable as determined using applicable Commission rules

723-18-5.4.3 In the absence of a specific order by the Commission, operator service tariff rates charged by providers shall not exceed the benchmark maximum operator service rates adopted by the Commission as Appendix A to these Rules.

723-18-5.4.4 Operator service tariff rates filed by providers, wherein the rates to be charged by the provider are above the Commission-determined benchmark rate in Rule 5.4.3 shall be subject to investigation by the Commission in hearings conducted pursuant to the Commission's Rules of Practice and Procedure. A provider proposing rates in excess of the benchmark rates shall be required to prove that such rates are just and reasonable and shall provide cost studies as required by Rules 4 and 5 of the Commission's Rules Prescribing Principles for Costing and Pricing of Regulated Services of Telecommunications Service Providers.

723-18-5.4.5 In the case where the Commission approves rates for a provider that are higher than the benchmark rate, the Commission may require oral disclosure by the provider of the total charges for the call and that such charges are higher than the benchmark rate to the person responsible for payment of the telephone call, if the Commission determines that such disclosure is in the public interest. This disclosure shall be made at no charge to the caller and before the call is connected, allowing the caller to disconnect before incurring any charges.

723-18-5.4.6 If the Commission finds, after notice and opportunity for hearing, that a nonoptional operator service provider has violated an order adopted pursuant to Rule 5.4.5, the Commission may, in addition to such other enforcement powers as may be authorized by statute, order any regulated telecommunications service provider to block access to the nonoptional operator services provider for all intrastate operator-handled calls. A regulated telecommunications provider that blocks the access of a nonoptional operator services provider in compliance with an order of the Commission and incurs attorney fees or costs to defend such action shall be entitled to recover its costs and attorney fees in each such proceeding.

At the end of such proceeding, the regulated telecommunications service provider shall provide an itemized list of these costs and attorney fees to the Commission. The Commission shall enter an order requiring the nonoptional operator services provider to pay these amounts^s to the regulated telecommunications service provider.

723-18-5.4.7 Any provider whose current ~~Commission approved~~ tariffs are in accordance with Rule 5.4.3 ~~on at~~ the effective date of ~~promulgation of~~ this revised Rule, will be allowed to have its current tariffs remain in effect without further filings or proceedings.

723-18-5.4.8 Any Provider seeking to maintain a current tariff rate higher than the benchmark rate described in Rule 5.4.~~34~~ must refile ~~its~~ that rate as a new, proposed tariff rates within 60 days after the effective date ~~promulgation~~ of this revised rule. The filing must comply with Rule 5.4.4 (cost studies to be provided) and contain sufficient information for the Commission to determine if the provider's rates are just and reasonable. If the provider

fails to meet this 60 day filing requirement, any existing tariffs with rates in excess of those established in Rule 5.4.3 ~~the Commission may, after hearing consider a provider's tariffs to shall~~ be deemed invalid on the sixtieth day following the effective date of these revised rules without further action by the Commission, and ~~it will not be allowed to legally collect~~ any revenues collected pursuant to such tariffs shall be deemed illegally collected ~~for any Colorado intrastate calls.~~ Upon filing of proposed rates under this rule, if done within 60 days of the effective date of these amended rules, the current ~~Commission approved~~ rates will be allowed to remain in effect, subject to refund pursuant to order of the Commission, until the Commission approves new rates.

RULE (4 CCR) 723-18-6. REQUIREMENTS FOR OPERATOR SERVICE PROVIDERS.

723-18-6.1 Each provider of operator services shall:

723-18-6.1.1 Identify itself, audibly, and distinctly, to the customer at the beginning of each telephone call before the customer incurs any charges for the call; and

4 CCR 723-18-APPENDIX A

BENCHMARK MAXIMUM OPERATOR SERVICES RATES

<u>No.</u>	<u>Operator Service</u>	<u>Rate</u>
	Usage Rates	
1.	Flat (Message) Rate per call	.11
	Flat (Measured) Rate per minute	
2.	Day	.20
3.	Evening/Night/Weekend	.11
	Calling Card Station Rates	
	Customer Dialed	
4.	Automated (Mechanized)	.30
5.	Operator Assisted	.58
6.	Operator Dialed	1.13
7.	Operator Assistance	.75
	Operator (Assisted)	
8.	Station-to-Station	1.25
9.	Collect	1.85
10.	Billed to Third Party	1.51
11.	Person-to-Person	3.00
	Busy Line	
12.	Verification	1.25
13.	Interrupt	2.00
14.	Prison Inmate Operator Station Collect	1.85
15.	Pay Telephone Charge	.26
	(Facilities based providers only)	

4 CCR 723-18-EXHIBIT 1

NOTES ON ORIGINAL SOURCES OF OPERATOR SERVICES RATES

<u>No.</u>	<u>Operator Service</u>	<u>Note</u>
	Usage Rates	
1.	Flat (Message) Rate per call	1
	Flat (Measured) Rate per minute	
2.	Day	2
3.	Evening/Night/Weekend	2
	Calling Card Station Rates	
	Customer Dialed	
4.	Automated (Mechanized)	3a
5.	Operator Assisted	4
6.	Operator Dialed	3b
7.	Operator Assistance	3c
	Operator (Assisted)	
8.	Station-to-Station	4
9.	Collect	2
10.	Billed to Third Party	4
11.	Person-to-Person	4
	Busy Line	
12.	Verification	4
13.	Interrupt	4
14.	Prison Inmate Operator Station Collect	2
15.	Pay Telephone Charge	2, 5
	(Facilities based providers only)	
16.	Call Completion	6

4 CCR 723-18-EXHIBIT 1-NOTES:

1. US West Communications Exchange and Network Services Tariff, Colorado PUC No. 15, Section 5, Sheet 171.1
2. US West Communications Exchange and Network Services Tariff Colorado PUC No. 15, Section 6, Price List Sheets 1 and 2
3. US West Communications Statement of Generally Available Terms and Conditions; *See Page 3 of this Exhibit.*
 - a. Rate is 18¢
 - b. Rate is 46¢
 - c. Rate is 36¢
4. AT&T Communications of the Mountain States, Inc., Local Exchange Services Tariff Colorado PUC No. 1, Price List, Page 2
5. AT&T Communications of the Mountain States, Inc., Telecommunications Services Terms and Conditions Tariff, Price List, Section 7, Page 1
6. AT&T Communications of the Mountain States, Inc., Consumer Local Services Tariff, Price List, Section 9, Page 1

4 CCR 723-18-EXHIBIT 1-STATEMENT

US WEST COMMUNICATIONS, INC.

STATEMENT OF GENERALLY AVAILABLE TERMS AND CONDITIONS

OPERATOR SERVICES RATES

FOR COMPARISON WITH BENCHMARK MAXIMUMS

<u>No.</u>	<u>Operator Service</u>	<u>Rate</u>
	Usage Rates	
1.	Flat (Message) Rate per call	None
	Flat (Measured) Rate per minute	
2.	Day	.00283
3.	Evening/Night/Weekend	.00283
	Calling Card Station Rates	
	Customer Dialed	
4.	Automated (Mechanized)	.18
5.	Operator Assisted	.46
6.	Operator Dialed	.36+.46
7.	Operator Assistance Operator (Assisted)	.36
8.	Station-to-Station	.84
9.	Collect	.36+.84
10.	Billed to Third Party	.36+.84
11.	Person-to-Person	2.05
	Busy Line	
12.	Verification	.72
13.	Interrupt	.87
14.	Prison Inmate Operator Station Collect	.36+.84
15.	Pay Telephone Charge (Facilities based providers only)	None
16.	Call Completion	.085