

BASIS, PURPOSE AND STATUTORY AUTHORITY.

.

Adoption of the changes to 4 CCR 723-41-7.1, 4 CCR 723-41-7.2.1.2, 4 CCR 723-41-7.3 or 4 CCR 723-41-7.4 described herein are necessary to assist the Commission in identifying those telecommunications providers who are not required to contribute to the Colorado High Cost Administration Fund and, if necessary, to independently confirm a provider's entitlement to that exemption.

.

723-41-7.1 Contributors. Every provider of intrastate telecommunications service to the public, or to such classes of users as to be effectively available to the public, every provider of intrastate telecommunications that offers telecommunications for a fee on a non-common carrier basis, and payphone providers that are aggregators not falling within the de minimis exemption of Rule 7.2.1.2 must contribute to the HCSM.

.

723-41-7.2.1.2 De Minimis Exemption. If a contributor's telecommunication service provider's contribution to the HCSM in any given year is calculated to be less than \$10,000, that contributor will not be required to submit a contribution. Telecommunications service providers falling within this de minimis exemption are required to file with the Administrator ~~or~~ the only that portion of HCSM Worksheet for that period that certifies their de minimis status. Such de minimis certification shall be accompanied by an affidavit of an officer of the telecommunication service provider attesting to the veracity of its self-certification. However, each telecommunications service provider exempt from contributing because of its de minimis revenues shall retain complete documentation (including, but not limited to the information required in the HCSM Worksheet) and shall make such documentation available to the Administrator upon request. Notwithstanding the *de minimis* exemption of this Rule 7.2.1.2, all Eligible Providers are required to remit contributions and to file the entire HCSM Worksheet.

.

723-41-7.3 Application of the Rate Element to Customer Billings. The HCSM rate element shall be applied to the Retail Revenues of each telecommunications service provider's end-user and shall appear as a line item on the monthly bill of each such end-user except that telecommunications service providers falling within the de minimis exemption of Rule 7.2.1.2 shall not apply the HCSM rate element nor collect such contribution from its end-users. Where an end-user service location receiving the bill and an end-user service location receiving the service differ, the location of the telecommunication service delivery shall be used to determine whether the HCSM rate element applies.

723-41-7.4 Remittance of Contributions. All telecommunications service providers not falling within the de minimis exemption of Rule 7.2.1.2 shall be responsible for collecting and remitting quarterly the HCSM rate element receipts according to the following procedure:

.