

THE  
PUBLIC UTILITIES COMMISSION  
OF THE  
STATE OF COLORADO  
(COPUC)

RULES REGULATING TELECOMMUNICATIONS SERVICE PROVIDERS  
AND TELEPHONE UTILITIES  
4 CCR 723-2

COPUC RULE 4 CCR 723-2-1. APPLICATION OF RULES.

723-2-1.1 BASIS, PURPOSE AND STATUTORY AUTHORITY OF RULES.  
The statutory authority for these amendments is found in sections 40-3-101(2), 40-3-102, 40-3-103, 40-3-106(1)(A) and 40-4-101, C.R.S. which empower the Commission to establish standards for the adequacy of public utility services, including the timely provisioning of adequate telephone service, basic telephone service and regulated telecommunications services, and requires the Commission to prescribe rules and regulations for the performance of any service or the furnishing of any commodity by a public utility and to enforce those rules and regulations. In addition, the Commission is authorized to promulgate rules generally by section 40-2-108, C.R.S., and specifically for telecommunications services by §§ 40-15-201 and 40-15-301, C.R.S., in order to implement the provisions of Title 40, Article 15, Part 2 and 3, C.R.S.

The basis and purpose of these amendments is to update and revise certain rules within the Rules Regulating Telecommunications Service Providers and Telephone Utilities to require an adequate level and timely provisioning of basic telephone service and regulated telecommunications service to the public throughout the state. Specifically, such revisions or amendments are to Rules 2.33.1, 16.1.4, 21.2.4, 21.2.5, and 22. The update and revision of these rules is necessary to

reflect the present and continuing evolution of a standard for adequate basic telephone service and regulated telecommunications service which is expected by the public and is available through the changing technology being deployed in the telecommunications industry. The rules establish standards for basic telephone service and regulated telecommunications services in light of current technology and public expectations. These amendments prescribe requirements for provision of certain capabilities and services by Local Exchange Carriers.

The amendments to the rules are clear and simple and can be understood by persons expected to comply with them. They do not conflict with any other provision of law and there are no duplicating or overlapping rules.

723-2-1.2 Applicability of Rules. These rules and regulations govern the furnishing of intrastate telecommunications services and facilities to the public and shall apply to providers of telecommunications services and telephone services subject to the jurisdiction of the Commission.

723-2-2.33.1 Out-of-Service Trouble Report - occurs when a customer reports no dial tone, or an inability to make calls, or an inability to receive calls, or that service quality has deteriorated to such an extent that normal conversation on the line is not possible, or that the customer is incapable of sending or receiving a facsimile or data transmission at a minimum of 2400 bits per second.

723-2-2.34 Outside Plant - means the telecommunications equipment and facilities installed on, along, or under streets, alleys, highways, or on private rights-of-way between central office and customers' locations or between central office.

723-2-2.35 Party Line Service - means a grade of Basic Local Exchange Service which provides for a number of customers to be served by the same central office channel.

723-2-2.36 Private Line Service - means any point-to-point or point-to-multi-point service dedicated to the exclusive use of an end-user for the transmission of any telecommunications service.

723-2-2.37 Public Telephone Service - means an individual line service equipped with a coin collecting telephone instrument installed for the use of the general public in locations where the general public has access to these telephones.

723-2-2.38 Small LEC - means a Local Exchange Carrier serving fewer than 50,000 access lines in the State of Colorado.

723-2-2.39 Station - means a device and any other necessary equipment at the customer's premises which allows the customer to establish and continue communication.

723-2-2.40 Switched Access - means the services or facilities furnished by a local exchange company or carrier, to interexchange providers or carriers, which allows them to use the basic exchange network or the public switched network for origination or termination of interexchange telecommunications services.

723-2-16.1.3 Each LEC and toll service provider shall make regular periodic measurements to determine the level of service for each item included in these rules. These records shall be available for review by this Commission upon request.

723-2-16.1.4 The standards within these rules establish the minimum acceptable quality of service under normal operating conditions. They do not establish a level of performance to be achieved during the periods of emergency, catastrophe, natural disaster, severe storm or other events affecting large numbers of customers nor shall they apply to extraordinary or abnormal conditions of operation, such as those resulting from work stoppage, civil unrest, or other events for which a provider may not have been expected to accommodate. To the extent such conditions affect the measurement records required under Rule 16.1.3 and consequently the ability of the provider to meet any other standards within Rules 16 through 24, the Rules Regarding Quality of Telecommunications Service, it is the responsibility of the utility to separately document the duration and magnitude or effect of such occurrences in its records.

**COPUC RULE 4 CCR 723-2-17. BASIC TELEPHONE SERVICE STANDARD.**

723-2-17.1 Basic Service Standard. As part of its obligation to provide adequate basic telephone service, each LEC shall construct and maintain its telecommunications network so that the instrumentalities, equipment and facilities within the network shall be adequate, efficient, just and reasonable in all respects in order to provide each customer within its jurisdictional service area with the following services or capabilities:

723-2-21.2.2 Suitable rules and instructions shall be adopted by each provider and followed by employees or other entities employed by the provider governing the language and operating methods to be used by operators during assistance to customers. Specifically, operators must be instructed to be courteous, considerate, and efficient in the handling of all customer calls. Any required call timing for jurisdictional operator assisted calls shall accurately record when the customer requested connection is established and when it is terminated.

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

723-2-21.2.4 Other calls directed to the published telephone numbers for service repair or the business offices of the LEC or MTS providers shall be acknowledged within 20 seconds and shall be answered by either a company representative or a voice-response or mechanized unit menu within 60 seconds (as measured from the same starting point in time as for the 20 second acknowledgement standard) for 85 percent of all such calls during any monthly period. Each business day during any month for which the standard was not obtained for the published telephone number associated with the respective service center or business office shall be deemed a separate violation of this Rule.

When fewer than 85 percent of such calls are answered in any month for any service center or business office, a written report listing each offending service center or business office will be submitted to the Commission within twenty-one (21) calendar days from the end of the month in which the standard was not met. For each violation listed, the report shall identify the percent of calls answered, the reason for

failure to meet the 85 percent standard, the remedial action the LEC has taken, and any known results of that remedial action.

723-2-21.2.5 The measurement records for determining the minimum acceptable call completion criteria described under Rules 21.2.3 and 21.2.4 may be adjusted, as allowed under Rule 16.1.4, For the circumstances specifically described within Rules 10.2.3.2 and 16.1.4.

723-2-21.2.6 An answer shall mean that either a company representative or a voice-response or mechanized unit menu is ready to assist the customer or accept information necessary to process the call. An acknowledgement that the customer is waiting on the line shall not constitute an answer. A dropped call shall not be considered an answer. An answer shall not mean either directing the call to a company representative or mechanized system incapable of providing assistance to the customer or directing the call to a system that will only take a message from the customer.

723-2-21.3 Intra-LATA Interexchange Toll Dialing Pattern.

723-2-21.3.1 BASIS, PURPOSE, AND STATUTORY AUTHORITY. The basis and purpose is to establish a new rule to provide for uniform dialing patterns for all intra-LATA interexchange toll calls (calls which are not included within basic local exchange service.) The current supply of available central office codes will be exhausted in the near future. In order to provide for more numbers, the Administrator of the North American Numbering Plan, and the telecommunications industry have agreed to proceed with the implementation or interchangeable area codes, also referred to as interchangeable Numbering Plan Areas (NPA or INPA). The interchangeable area codes change "1+" and "0+" from "toll indicators" to "area code indicators". To preserve a "toll indicator" for consumer protection it will be necessary to adopt a 1 + ten digit dialing pattern for all intra-LATA, interexchange toll calls.

The amendments to the rules are clear and simple and can be understood by persons expected to comply with them. They do not conflict with any other provision of law and there are no duplicating or overlapping rules.

The statutory authority for this new Rule 21.3 is found at §§40-2-108, 40-4-101, and 40-15-306. C.R.S.

723-2-21.3.2 The North American Number Plan (NANP) specifies the format for telephone numbers in the United States, Canada, Bermuda, and many Caribbean Basin islands. On January 1, 1995, the NANP format changes to permit fully interchangeable codes. Prior to January 1, 1995 all jurisdictional LECs will convert to a new dialing plan which will permit the new NANP format to be used. Use of an area code or NPA is required for all intra-LATA, interexchange toll calls which originate and terminate in the same area code (NPA). The new dialing plan will replace the existing 1+ seven digit dialing plan in use today with the "1+ 10 digit" dialing plan.

**COPUC RULE 4 CCR 723-2-22. TROUBLE REPORT RESPONSE.**

723-2-22.1 Maximum Acceptable Number of Reports. Each LEC shall maintain its network so as to minimize customer trouble reports for jurisdictional services economically but shall not exceed eight reports per 100 access lines per month per wire center averaged over a three-month period. An occurrence of a violation of this Rule shall be considered as each day in the month for which the three month average of trouble reports for that month and the preceding two months exceed this criteria for the wire center in question.

For the purpose of this paragraph of Rule 22, each customer receiving party line service shall be considered to have one access line. [This sentence is repealed effective January 1, 1996.]

723-2-22.2 Allowable Response Time. The response of a LEC to customer trouble reports shall be such that the percent

of all out-of-service reports for each month, for each wire center, listed in the table below are cleared within 24 hours. A separate occurrence of a violation of this Rule shall be considered as each day of each month for which the criteria was not met in each wire center served by the LEC.

MONTH**	CLEARED WITHIN 24 HOURS
1 through 6	70%
7 through 12	75%
13 through 18	80%
19 and beyond	85%

\*\* The number of months shall be measured from the effective date of these rule amendments.

When fewer than the percent listed in the table for any month for any wire center are not cleared within 24 hours, a written report listing each offending wire center will be submitted to the Commission within twenty-one (21) calendar days from the end of the month in which the standard is not met. For each violation listed, the report shall identify the percent of trouble reports cleared within 24 hours, the reason for falling below the standard, the remedial action the LEC has taken, and the date the wire center is expected to meet or exceed the standard.

This criteria excludes the following conditions to the extent the LEC can separately document the number of such occurrences:

723-2-22.2.1 Reports for nonjurisdictional services or services of another provider.

723-2-22.2.2 Situations where access to the customers premise is required but not available.

723-2-22.3 The measurement records for determining the maximum acceptable number of reports (Rule 22.1), or the allowable response time (Rule 22.2) may be adjusted, as allowed

under Rule 16.1.4, for the circumstances specifically described within Rules 10.2.3.2 and 16.1.4.

723-2-22.4 Response Priority. If requested by the customer, the LEC shall give priority to and initiate repairs regardless of the hour for customer trouble reports which may affect the public health and safety.

723-2-22.5 Customer Notification. If employees of the LEC cannot clear the reported trouble promptly, the customer will be given a reasonable estimate of when the trouble report will be cleared.

723-2-22.6 Appropriate adjustments to the customer's bill shall be automatically made by the LEC for jurisdictional service interruptions pursuant to Rule 10.2.3.