

Decision No. R23-0275-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23M-0007T

IN THE MATTER OF THE FILING OF 2022 ANNUAL REPORTS IN ACCORDANCE WITH RULES 4 CCR 723-2-2006 AND 2187 BY CARRIERS HOLDING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OR A LETTER OF REGISTRATION TO PROVIDE TELECOMMUNICATIONS SERVICES IN THE STATE OF COLORADO OR REGISTERED TO RESELL INTRASTATE TOLL SERVICE.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
MELODY MIRBABA
GRANTING HAXTUN TELEPHONE COMPANY AN
EXTENSION OF TIME**

Mailed Date: April 26, 2023

I. STATEMENT

1. On January 3, 2023, the Commission opened the above-captioned repository Proceeding for those subject to Rules 2006 and 2187 of the Rules Regulating Telecommunications Services and Providers of Telecommunications Services, 4 *Code of Colorado Regulations* (CCR) 723-2 to file 2022 Annual Reports (Reports) under Rule 2187(g)(IX) and DR525 Forms (DR525) under Rule 2006.

2. On January 25, 2023, the Commission referred this proceeding to an Administrative Law Judge (ALJ) by minute entry for the disposition of all pleadings and motions filed in this proceeding.

3. On February 17, 2023, the Commission noticed the above-captioned proceeding and sent letters over Interim Director G. Harris Adams' signature reminding the affected carriers of their obligation to file Reports and DR525 Forms in this Proceeding.

4. On April 24, 2023, Haxtun Telephone Company (Haxtun) filed its "Request of [*sic*] Extension of Time to File Annual Reports" (Motion).

II. RELEVANT LAW, ANALYSIS, FINDINGS, AND CONCLUSIONS

5. Because this is an administrative proceeding (and not an adjudicative one, the ALJ waives the response time to the Motion.¹

6. Rule 2187(g)(IX) requires certain telecommunications carriers to submit an annual report using Commission-prescribed forms on or before April 30 of each year.²

7. Haxtun asks for a 30 day-extension of time within which to file its Report.³ As grounds, Haxtun states that its 2022 company-wide audited financials have only recently been finalized and that it requires additional time to prepare, review, and file the annual report.⁴

8. Haxtun does not request additional time to file its Form, explaining that an extension of time to file its Report will not impact its ability to timely file the Form.⁵

9. The ALJ concludes that the Motion provides good cause for a 30-day extension of time to file its Report; as such, the Motion is granted. Haxtun's 2022 Report must be filed by May 30, 2023.

¹ See Rules 1200, 1307, and 1401(b) of the Commission's Rules of Practice and Procedure, 4 CCR 7 23-1.

² Rule 2187(g)(IX), 4 CCR 723-2. Forms required under Rule 2006 are due on May 15th each year. Rule 2006, 4 CCR 723-2.

³ Motion at 1.

⁴ *Id.*

⁵ *Id.*

III. ORDER

A. It Is Ordered That:

1. The response time to the Request of [*sic*] Extension of Time to File Annual Report (Motion) filed by Haxtun Telephone Company (Haxtun) on April 24, 2023, is waived and the Motion is granted.

2. Haxtun’s 2022 Annual Report required by Rule 2187(g)(IX) of the Rules Regulating Telecommunications Services and Providers of Telecommunications Services, 4 *Code of Colorado Regulations* (CCR) 723-2 must be filed by 5:00 p.m. on May 30, 2023.

3. This Decision does not extend or otherwise impact the deadline for Haxtun to file a copy of its 2022 DR525 Form.

4. The Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MELODY MIRBABA

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in black ink, appearing to read "G. Harris Adams".

G. Harris Adams,
Interim Director