

Decision No. C24-0636

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0312T

IN THE MATTER OF THE APPLICATION BY VIAERO FIBER NETWORKS LLC TO AMEND A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY ("CPCN").

**COMMISSION DECISION DEEMING APPLICATION
COMPLETE AND GRANTING APPLICATION**

Issued Date: September 4, 2024
Adopted Date: September 4, 2024

I. BY THE COMMISSION

A. Statement

1. On July 19, 2024, Viaero Fiber Networks, LLC ("Viaero"), filed an Application to amend its Certificate of Public Convenience and Necessity ("CPCN"). Viaero is transitioning from primarily offering dark fiber to providing broadband and VoIP services as part of its expanded service offerings.

2. On July 25, 2024, notice of the Application was provided to all persons, firms, or corporations, interested in, or affected by the grant or denial of the request. Interventions were due on or before August 26, 2024. No interventions were received in this proceeding.

B. Discussion

3. Viaero was granted a CPCN in Proceeding No. 19A-0102T with Decision No. C19-0326 on April 11, 2019, to provide Part IV services throughout the state of Colorado.

4. Pursuant to § 40-6-109(5), C.R.S., the Commission finds that this matter may be considered without a hearing.

5. Consistent with terms and conditions established in previous Commission decisions, Viaero will be required to contribute, as prescribed by statute, rule, or order of the Commission, based on the entirety of its intrastate services regardless of the technology, to the Public Utilities Commission's Telecommunications Utilities Fund, the Colorado High-Cost Support Mechanism, the Colorado Telephone Users Disabilities Fund, the Statewide 9-1-1 Surcharge Trust Cash Fund, the Statewide 9-8-8 Surcharge, and other financial support mechanisms that may be created in the future by the Commission to implement §§ 4015-502(4) and (5), C.R.S.

6. Expanding Viaero's operating authority is consistent with the legislative statements of policy contained in §§ 40-15-101, 40-15-501, and 40-15-502, C.R.S.

II. ORDER

A. The Commission Orders That:

1. The Application, filed by Viaero on July 19, 2024, to expand its Certificate of Public Convenience and Necessity is deemed complete within the meaning of § 40-6-109.5, C.R.S., and is granted.

2. All other obligations and requirements contained in Viaero's CPCN shall remain as contained in Commission Decision C19-0326.

3. This Decision is effective immediately on its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
September 4, 2024.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners