

Decision No. C24-0730-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0432T

IN THE MATTER OF THE APPLICATION OF EMERY TELECOMMUNICATIONS & VIDEO, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (CPCN) TO PROVIDE PART IV SERVICES (4 CCR 723-2-2002(B) AND 723-2-2103, AND A LETTER OF REGISTRATION (LOR) TO PROVIDE SWITCHED ACCESS SERVICES IN THE STATE OF COLORADO.

**INTERIM COMMISSION DECISION ESTABLISHING
A SHORTENED NOTICE AND INTERVENTION PERIOD**

Issued Date: October 9, 2024

Adopted Date: October 9, 2024

TO THE PARTIES IN THIS MATTER AND ALL INTERESTED PERSONS, FIRMS, OR CORPORATIONS:

I. BY THE COMMISSION

A. Statement

1. On October 8, 2024, Emery Telecommunications & Video, Inc. (“Emery”) filed an Application requesting a Certificate of Public Convenience and Necessity (“CPCN”) and a Letter of Registration (“LOR”) to provide Part IV (§ 40-15-401, C.R.S) services pursuant to Commission Rule 4 *Code of Colorado Regulations* 723-2-2103.

2. This Decision establishes a shortened notice and intervention period for the application.

3. Intervention pleadings shall be filed no later than October 18, 2024.

B. Discussion, Findings, and Conclusions

4. Emery plans to apply for the Broadband Equity, Access, and Deployment (“BEAD”) program funding through the Colorado Broadband Office (“CBO”) grant program. This federal initiative aims to provide funding for expanding high-speed internet access in underserved and unserved areas. To be eligible for federal support, entities must apply through CBO by October 28, 2024.

5. As part of the application to CBO, the entity must hold a CPCN or an LOR, which it must obtain from the Commission by October 28, 2024, or at the time of its application to CBO.

6. In its instant application, Emery requests a shortened notice and intervention period to meet the deadline for the application to CBO.

7. The Commission finds good cause to establish a shortened notice and intervention period.

8. **This Decision is the Commission’s notice that Emery’s application has been filed.** Emery’s application requesting a CPCN and LOR to provide Part IV (§ 40-15-401, C.R.S) services is available for public inspection by accessing the Commission’s E-Filings System at: https://www.dora.state.co.us/pls/efi/EFI.Show_Docket?p_session_id=&p_docket_id=24A-0432T

9. Any intervention pleading must be filed by October 18, 2024.

II. ORDER**A. It Is Ordered That:**

1. The request of Emery Telecommunication & Video, Inc. (“Emery”) for a shortened notice and intervention period for its Application filed on October 8, 2024, is granted.

2. Service of this Decision will provide notice of Emery’s application to all interested persons, firms, and corporations.

3. The notice and intervention period shall expire at **5:00 p.m. on October 18, 2024.**

4. Any person desiring to intervene or participate as a party in this proceeding, including Staff of the Colorado Public Utilities Commission, shall file a petition for leave to intervene, or under the Commission’s Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1, file other appropriate pleadings to become a party, no later than **October 18, 2024.**

5. All persons who file an objection, Notice of Intervention as of Right, Motion to Permissively Intervene, or any other appropriate pleading shall do so in accordance with the instructions set forth in the Commission’s Rules of Practice and Procedure and this Decision.

6. This Decision is effective upon its Issued date.

**B. ADOPTED IN COMMISSIONERS’ WEEKLY MEETING
October 2, 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