

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25M-0323T

IN THE MATTER OF ESTABLISHING THE 2026 EMERGENCY TELEPHONE CHARGE THRESHOLD, STATEWIDE 9-1-1 SURCHARGE, PREPAID WIRELESS 9-1-1 CHARGE, AND SURCHARGE DISTRIBUTION FORMULAS PURSUANT TO §§ 29-11-102 THROUGH 102.5, C.R.S.

**COMMISSION DECISION GRANTING INTERVENTIONS;
ESTABLISHING THRESHOLD, SURCHARGE AND
CHARGE AMOUNTS, AND DISTRIBUTION FORMULA**

Issued Date: October 3, 2025
Adopted Date: September 24, 2025

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- A. The Commission Orders That:14
- B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING September 24, 2025.15
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I. BY THE COMMISSION

A. Statement

1. The Commission opened this proceeding through Decision No. C25-0563, adopted August 1, 2025 ("Opening Decision") to fulfill the Commission's obligations under §§ 29-11-102 through 102.5, C.R.S., which require the Commission establish by October 1, annually, the local Emergency Telephone Charge threshold, a statewide 9-1-1 surcharge, a prepaid wireless 9-1-1 charge, a formula for distribution of money from the statewide 9-1-1 surcharge to governing bodies, and a formula for distribution of money from the prepaid wireless 9-1-1 charge to governing bodies, each to be effective the following January 1.

2. Through this Decision, we address intervention pleadings and establish the following amounts and formula to be effective January 1, 2026: (1) an authorized Emergency Telephone Charge threshold of \$2.17; (2) a statewide 9-1-1 surcharge of \$0.16; (3) a prepaid wireless 9-1-1 charge of \$2.23; (4) a distribution formula through which the Commission will distribute funds from the statewide 9-1-1 surcharge, less administrative costs to be determined by the Commission but not exceeding 4 percent, to each 9-1-1 governing body in amounts proportional to the number of concurrent sessions each 9-1-1 governing body maintains at its Public Safety Answering Points ("PSAPs") as a percentage of the total number of concurrent sessions in the state; and (5) a distribution formula through which the Colorado Department of Revenue will distribute funds from the prepaid wireless 9-1-1 charge, less administrative costs to be determined by the Department of Revenue but not exceeding 3 percent, to each 9-1-1 governing

body in amounts proportional to the number of wireless 9-1-1 calls received at its PSAPs as a percentage of the total number of wireless 9-1-1 calls received by all PSAPs in the state.

B. Background

3. As described in our Opening Decision, we proposed for participant comment amounts and formulas required by statute to be established by October 1, 2025, with an effective date of January 1, 2026. The proposed rates and distribution formulas were calculated as prescribed by statute and 4 *Code of Colorado Regulations* (“CCR”) 723-2-2148 of the Commission’s Rules Regulating Telecommunications Services and Providers of Telecommunications Services.

4. Interested persons were invited to submit comments or briefing, in addition to intervention requests, by August 22, 2025, and to submit responsive briefs or comments by September 5, 2025.

C. Intervention

5. On August 22, 2025, Qwest Corporation doing business as CenturyLink QC (“CenturyLink”), filed a Motion to Intervene pursuant to Commission Rules 1400 and 1401(b). CenturyLink states that “as the only active certificated Basic Emergency Service Provider in the state of Colorado...no other party or potential party in this proceeding can adequately represent CenturyLink’s interests.”

6. Under Rule 1401(c), 4 CCR 723-1, persons seeking permissive intervention must demonstrate that the proceeding may substantially affect the pecuniary or tangible interests of the movant, and that the movant’s interests would not otherwise be adequately represented.

7. The proposed 9-1-1 surcharge rate of \$0.12 per 9-1-1 access connection per month was calculated to reimburse 9-1-1 governing bodies for the cost of CenturyLink’s tariffed ESInet service. As such, and under Rule 1401(c), 4 CCR 723-1, CenturyLink demonstrates that it has a

pecuniary or tangible interest that would not otherwise adequately be represented. Therefore, CenturyLink's pleading seeking intervention meets the requirements in our rule and is granted.

8. CenturyLink is a party to this proceeding.

9. Colorado Council of Authorities, Inc. ("CCOA") and City of Aurora ("Aurora") filed comments in this proceeding but did not file a motion to intervene. In addition, various letters and comments were filed, including from the Denver 911 Communications Center. CCOA, Aurora, and the Denver 911 Communications Center are not parties to this proceeding, but their public comments are nevertheless considered as included in this Decision.

D. Emergency Telephone Charge Threshold

10. Section 29-11-102, C.R.S., requires the Commission to take into account inflation and the needs of the governing bodies in setting the authorized Emergency Telephone Charge threshold. This threshold sets the rate above which approval by the Commission is required for a 9-1-1 governing body to set its Emergency Telephone Charge.¹ As required by Rule 2148(a)(I)(A) and (B), 4 CCR 723-2 of the Rules Regulating Telecommunications Services and Providers of Telecommunications Services, the Commission must take into account, at a minimum, historical data, future projections, inflation rates, the rate of increase of the average emergency telephone charge, comments provided to the Commission, and other factors the Commission deems relevant.

11. In our Opening Decision, we proposed for stakeholder comment an authorized Emergency Telephone Charge threshold of \$2.17. This is an increase of \$0.05 over the current

¹ See § 29-11-102(2)(c), C.R.S. For example, with the 2023 Emergency Telephone Charge Threshold set by the Commission at \$1.97 per 9-1-1 access connection per month, a 9-1-1 governing body has the statutory authority to adopt an Emergency Telephone Charge rate up to and including \$1.97 per 9-1-1 access connection per month. To adopt an Emergency Telephone Charge in excess of the threshold, the governing body must first file an application and the application must be approved by the Commission.

threshold of \$2.12 and reflects the 2.4 percent inflation rate provided by the Bureau of Labor Statistics Consumer Price Index for All Urban Consumers from May 2023 to May 2024.²

12. Also in our Opening Decision, we requested comment on whether there were other factors the Commission should consider when setting this threshold. In their comments, the CCOA and Aurora expressed support for the proposed threshold amount.

13. Therefore, we find no reason to modify our original proposal established in the Opening Decision and establish an authorized Emergency Telephone Charge threshold of \$2.17, effective January 1, 2026.

E. Statewide 9-1-1 Surcharge

1. Opening Decision

14. Pursuant to § 29-11-102.3, C.R.S., the statewide 9-1-1 surcharge must be reasonably calculated to meet the needs of governing bodies to operate the 9-1-1 system, and the amount may not exceed \$0.50 per month per 9-1-1 access connection. To establish this amount, Rule 2148(a)(II)(B) provides that the Commission shall consider historical data, costs to the 9-1-1 governing body of basic emergency service tariffs, comments of interested stakeholders, and other factors the Commission deems relevant. Additionally, § 29-11-102.3(3)(c)(III), C.R.S., implies that the purpose of the surcharge is to “reimburse” governing bodies for the concurrent sessions being purchased from the Basic Emergency Service Provider (“BESP”). Additionally, Rule 2148(a)(II)(C) states that the Commission shall take into account “the most recently approved improvement amount as described in subparagraph 2137(e)(II). . . .”

15. In our Opening Decision, we proposed for stakeholder comment a statewide 9-1-1 surcharge rate of \$0.15 per 9-1-1 access connection per month. This proposed amount was

² See <https://bls.gov/cpi/latest-numbers.htm>

intended to raise enough funding statewide that when distributed to the 9-1-1 governing bodies, the amount will reimburse 9-1-1 governing bodies for the monthly recurring charges they are required under the tariff to pay the BESP for the concurrent sessions at each of the PSAPs funded by the governing body. The proposed amount was based on 613 concurrent sessions being paid for by 9-1-1 governing bodies.³ This number, multiplied by the monthly recurring tariff rate, provides the total statewide cost for all concurrent sessions per month.

16. The Opening Decision notes that CenturyLink intended to file a tariff amendment in August 2025, adding several features to the ESInet. This tariff amendment was filed August 22, 2025, and indicates CenturyLink's desire to add GIS Routing as a feature to the ESInet, at a cost of \$155.38 per concurrent session.

17. The Opening Decision also notes the passage of Senate Bill 24-139 creates a 9-1-1 Services Enterprise. This Enterprise is to set an Enterprise Fee, which the Commission will then be required to collect alongside the state 9-1-1 surcharge. The expected amount noted in the Opening Decision is \$.03.

18. Also noted in the Opening Decision, § 29-11-102.3(1)(b), C.R.S., does not necessarily limit the use of the state 9-1-1 surcharge to reimbursement of current tariff rates for Basic Emergency Service, and rather states that the amount "must be reasonably calculated to meet the needs of governing bodies to operate the 911 system."

19. The Commission requested comment on whether this approach is appropriate, and if it is not, what alternative approach the Commission may use to determine the statewide tariff costs to the governing bodies. The Commission also requested comment on whether there are other expenses appropriate for reimbursement through an adjustment to the 9-1-1 surcharge, noting that

³ See Attachment A to the Opening Decision.

the distribution of the surcharge must be based on the number of concurrent sessions being purchased or funded by each of the governing bodies.

2. Comments

20. In its comments, CCOA proposes a surcharge rate of \$0.18, intended to reimburse governing bodies for a proposed tariff amendment for GIS Routing which, at the time that the comments were provided, was anticipated from but not yet filed by CenturyLink, and separate proposed tariff amendment anticipated, but not yet filed, by CenturyLink, for the provision of text-to-9-1-1 services, NENA i3 Routing, and TDMS services. CCOA calculates an increase of \$0.03 above the proposed amount to reimburse the governing bodies for these charges.

21. CCOA includes the 9-1-1 Services Enterprise Fee of \$0.03 to arrive at their proposed surcharge rate of \$0.18.

22. CCOA provides attachments showing calculations for these additional charges that include an additional 5 percent to cover the up to 4 percent the Commission may retain to cover its costs for administering the surcharge, and 1 percent that the carriers are allowed to retain when they collect the surcharge.

23. Overall, CCOA proposes \$0.06 to be added to the surcharge, for a total surcharge amount of \$0.18.

24. In its comments, Aurora supported the proposed surcharge amount of \$0.12.

25. In its comments, CenturyLink notes their intention to file two tariff amendments, one for GIS routing and one for additional services desired by the 9-1-1 community, and encouraged the Commission to take into consideration these amendments when setting the 9-1-1 Surcharge rate. However, CenturyLink does not make a specific amount recommendation.

3. Tariff Considerations

26. On August 22, 2025, Qwest Corporation doing business as CenturyLink QC filed Advice Letter No. 3175 into Proceeding No. 25AL-0349T, introducing a new feature, GIS Routing, to the existing tariff, with a proposed effective date of October 1, 2025. This Core BESF component would be required for all PSAPs to purchase beginning March 1, 2026, at a cost of \$155.38 per concurrent session.

27. This tariff amendment was circulated among the 9-1-1 stakeholders prior to filing. Once filed, CenturyLink continued to receive feedback on the amendment. On September 8, 2025, CenturyLink filed a letter into this proceeding advising that it would file an amendment to the proposed tariff amendment, lowering the cost per concurrent session to \$152.49.

28. On September 19, 2025, CenturyLink filed an amended Advice Letter and tariff pages in the above-referenced tariff proceeding, adjusting the rate for GIS routing to \$152.49 and adjusting the effective date of the tariff pages to November 3, 2025. The date on which the requirement to purchase the new service, however, remains March 1, 2026.

4. 9-1-1 Services Enterprise Fee

29. The 9-1-1 Services Enterprise Board was seated in late 2024, too late for the establishment of an Enterprise Fee for 2025. However, it has developed a 2026 budget as part of its initial activities. The Board filed an advisory letter into this proceeding stating their 2026 Fee will be \$0.03.

5. City of Aurora/Buckley Space Force Base Agreement

30. The City of Aurora (“Aurora”) filed comments in this proceeding August 22, 2025. Their comments include a letter formalizing an agreement between the City of Aurora and Buckley Space Force Base (“BSFB”) in which Aurora will pay for BSFB’s concurrent sessions beginning

January 1, 2026, and in return requests that Aurora receive reimbursement through the Statewide 9-1-1 Surcharge for BSFB's two concurrent sessions. This would change the distribution calculation reported in the Opening Decision's Attachment A, from 613 concurrent sessions for reimbursement to 615.⁴

6. Denver 9-1-1 Concurrent Session Reduction

31. Denver 9-1-1 ("Denver") filed a letter into the proceeding September 5, 2025. In this letter, they directed CenturyLink to reduce their concurrent sessions by 25, with an effective date September 2025. This will leave Denver with 75 concurrent sessions, rather than 100. Including the change requested by COA above, this would change the distribution calculation reported in the Opening Decision's Attachment A to 590 concurrent sessions.

7. Calculation of the 9-1-1 Surcharge Rate

32. Taking into consideration the addition of a potential \$152.49 to the per-concurrent session amount for GIS Routing, and using the updated concurrent session count of 590, we find a total amount necessary to be distributed to the governing bodies of \$9,542,565.60.⁵ This figure is based on monthly recurring charges of \$776.47 per concurrent session per month for ESInet service, \$108.00 for ECaTS, both of which are outlined in Tariff No. 25, \$310.86, which has been

⁴ While the Commission is aware of plans to move Space Command out of Colorado, we do not anticipate that this move will impact Buckley Space Force Base or reduce the need that Buckley may have for maintaining its Public Safety Answering Point.

⁵ The Commission notes that as the effective date of this new tariff rate is November 3, 2025, it is possible that the tariff pages may be suspended by the Commission or withdrawn by the company prior to going into effect. However, we find it appropriate to include the tariffed rate for the new service of \$152.49 in our calculations based on the possibility that it will become effective by January of 2026 when the new surcharge rate takes effect. We also find that this included amount is appropriate even if the tariff is not approved. In any event, the increase would necessarily be used for appropriate 9-1-1 expenses. If the proposed additional tariff rate does not take effect, we note that the additional statute does not restrict the Commission from considering more than just the tariffed rates when setting the surcharge rate. Any funds received by the governing bodies in excess of the tariffed rates for Basic Emergency Service must still be spent on allowable 9-1-1 expenses as enumerated in § 29-11-104, C.R.S. The increase, therefore, supports improved 9-1-1 service offerings and expenses for 2026, regardless of the outcome of the tariff proceeding, and it is appropriate to include that amount given the record here and possible need for these funds in the event the tariff is approved.

approved by Decision Nos. C24-0688 and R24-0566 as the Improvement Amount for 2025 and 2026, in Proceeding No. 23A-0197T, as well as \$152.49 per concurrent session, which would be added to the ESInet Service amount effective October 1, 2025. Adding these four rates together and multiplying by 590 concurrent sessions and by twelve months yields the figure of \$9,542,565.60. Adding an additional four percent to account for the Commission's allowed administrative retention brings the amount to be raised to \$9,924,268.22.⁶ The average number of lines from June 2024 through May 2025 reported statewide was \$6,883,640.89. Based on this, we calculate that a surcharge rate of 12 cents would raise \$9,912,442.88, less than the amount required, and 13 cents would raise \$10,738,479.79, more than the amount required.

33. The Commission declines to consider in this Proceeding CenturyLink's proposed tariff additions that have not already been filed as of the date of this Decision. The Commission notes that the pricing quoted by CCOA in its comments is from a previous tariff amendment and may not be reflected accurately in any future tariff amendment that CenturyLink may file.

34. Based on this, and including the 9-1-1 Services Enterprise Fee of \$0.03, we find it necessary to increase the 9-1-1 surcharge from the proposed \$0.15 to \$0.16 (\$0.13 plus Enterprise Fee of \$0.03). The 2026 9-1-1 surcharge rate is therefore set at \$0.16.

F. Prepaid Wireless 9-1-1 Charge

35. Pursuant to § 29-11-102.5, C.R.S., and Rule 2148, 4 CCR 723-2, the flat rate per transaction prepaid wireless 9-1-1 charge is to be calculated by adding the average of the local Emergency Telephone Charge rates as of July 1 of that year and the amount of the statewide 9-1-1 surcharge amount established by the Commission for the following year. In our Opening

⁶ Although the Commission is only currently retaining two percent of the revenues from the 9-1-1 surcharge for administrative costs, we choose to calculate this additional amount at four percent in the event that the Commission finds the need to raise the retention amount in the future. This also takes into consideration the 1 percent that the vendors retain.

Decision, we stated that the average Emergency Telephone Charge as of June 1, 2025 was \$2.07, an assertion supported by data presented in Attachment B to the Opening Decision and this Decision.⁷ Taking our proposed \$0.15 for the statewide 9-1-1 surcharge and adding the average Emergency Telephone Charge of \$2.07, we proposed setting the prepaid wireless 9-1-1 charge rate of \$2.22 per prepaid wireless service transaction for calendar year 2026.

36. CCOA in its comments supported the increase in the prepaid wireless charge, noting that if the Commission adjusted its 9-1-1 surcharge, then the prepaid wireless charge would need to be adjusted accordingly.

37. Aurora in its comments supported the increase in the prepaid wireless charge.

38. We agree with commenters that the prepaid wireless 9-1-1 charge rate must increase to mirror any increase to the 9-1-1 surcharge, as required by § 29-11-102.5(2)(c), C.R.S. Adding the average Emergency Telephone Charge of \$2.07 to the adopted \$0.16 9-1-1 surcharge rate established above rather than the \$0.15 rate originally proposed, we therefore have a resulting prepaid wireless 9-1-1 charge rate of \$2.23 per prepaid wireless service transaction.

39. Considering the comments and the statewide 9-1-1 surcharge rate under § 29-11-102.5, C.R.S., and Rule 2148, 4 CCR 723-2, we establish a prepaid wireless 9-1-1 charge of \$2.23, effective January 1, 2026.

G. Statewide 9-1-1 Surcharge Distribution Formula

40. Pursuant to § 29-11-102.3(3)(c)(III), C.R.S., and Rule 2148, 4 CCR 723-2, the Commission must establish a formula for distribution of money collected from the statewide 9-1-1 surcharge to the governing bodies. This formula must be based on the number of concurrent

⁷ The average ETC rate may not change between June 1 and July 1, primarily because governing bodies are only permitted by statute to adjust their rates with an effective date of February 1 or June 1 of each year. § 29-11-102(2)(b), C.R.S.

sessions maintained by the PSAPs of each governing body, and the Commission may retain up to 4 percent of the collected surcharges to cover the direct and indirect costs of administering the surcharge.

41. To implement this statutory requirement, through our Opening Decision, we proposed a distribution formula through which the Commission will distribute funds from the statewide 9-1-1 surcharge, less administrative costs to be determined by the Commission but not exceeding 4 percent, to each 9-1-1 governing body in amounts proportional to the number of concurrent sessions each 9-1-1 governing body maintains at its PSAPs as a percentage of the total number of concurrent sessions. Through the Opening Decision, we provided that the formula proposed would include the 613 concurrent sessions identified in Attachment A to that decision and invited participant comment.

42. As noted above, with the agreement between Aurora and BSFB, the total number of concurrent sessions in Colorado that are subject to receiving a portion of the 9-1-1 surcharge revenues increased to 615.

43. With Denver's stated intent to decrease the number of concurrent sessions, the total number of concurrent sessions in Colorado subject to receiving a portion of the 9-1-1 surcharge revenues decreased to 590.

44. In its comments, CCOA supports the proposed distribution formula.

45. We establish a distribution formula as discussed in our Opening Decision, with the amended number of concurrent sessions for both Aurora and Denver, attached to this Decision as Attachment A. The Commission will distribute funds from the statewide 9-1-1 surcharge, less administrative costs to be determined by the Commission but not exceeding 4 percent, to each 9-1-1 governing body in amounts proportional to the number of concurrent sessions each 9-1-1

governing body maintains at its PSAPs as a percentage of the total number of concurrent sessions in the state, effective January 1, 2026.

H. Prepaid Wireless 9-1-1 Charge Distribution Formula

46. Pursuant to § 29-11-102.5(3)(e)(III), C.R.S., and Rule 2148, 4 CCR 723-2, the Commission must establish a formula for distribution of money collected from the prepaid wireless 9-1-1 charge to the governing bodies. This formula must be based on the number of wireless 9-1-1 calls received by the PSAPs of each governing body as a percentage of the total number of wireless 9-1-1 calls received by all PSAPs in the state. The Commission must transmit the formula to the Colorado Department of Revenue by October 1 of each year, to take effect on the following January 1.

47. To implement this statutory requirement, through our Opening Decision, we proposed a distribution formula for transmittal to the Department of Revenue establishing percentages for each 9-1-1 governing body based on wireless 9-1-1 call volume, as reported to Commission Staff by the BESP. We provided a formula as Attachment C to the Opening Decision and invited participant comment.

48. In its comments, CCOA supports the proposed distribution formula.

49. We establish a distribution formula for transmittal to the Colorado Department of Revenue for the prepaid wireless 9-1-1 charge as discussed in our Opening Decision and attached to the Opening Decision and this Decision as Attachment C. The effective date of this formula will be January 1, 2026.

II. ORDER

A. The Commission Orders That:

1. The Intervention filing provided by Qwest Corporation doing business as CenturyLink QC ("CenturyLink"), on August 22, 2025, is granted, consistent with the discussion above.

2. Effective January 1, 2026, the authorized Emergency Telephone Charge threshold shall be \$2.17.

3. Effective January 1, 2026, the statewide 9-1-1 surcharge shall be \$0.16.

4. Effective January 1, 2026, the prepaid wireless 9-1-1 charge shall be \$2.23.

5. Effective January 1, 2026, we establish a distribution formula through which the Commission will distribute funds from the statewide 9-1-1 surcharge, less administrative costs to be determined by the Commission but not exceeding 4 percent, to each 9-1-1 governing body in amounts proportional to the number of concurrent sessions each 9-1-1 governing body maintains at its Public Safety Answering Points as a percentage of the total number of concurrent sessions in the state.

6. We establish a distribution formula for the distribution of prepaid wireless 9-1-1 charge funds, to be transmitted to the Colorado Department of Revenue by October 1, 2025, for an effective date of January 1, 2026.

7. The 20-day period provided for in § 40-6-114(1), C.R.S., within which to file an Application for Rehearing, Reargument, or Reconsideration begins on the first day following the effective date of this Decision.

8. This Decision is effective immediately upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
September 24, 2025.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners