

(Decision No. C92-1382)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE RULES)
FOR EMERGENCY REPORTING SERVICES)
FOR EMERGENCY TELECOMMUNICATIONS)
SERVICE PROVIDERS AND TELEPHONE)
UTILITIES, COLORADO PUBLIC)
UTILITIES COMMISSION 4 CODE OF)
COLORADO REGULATIONS 723-29.)

DOCKET NO. 92R-652T

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Publication Date: November 10, 1992
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**NOTICE OF PROPOSED RULEMAKING, AND
NOTICE OF RULEMAKING HEARING ON DECEMBER 14, 1992 9 A.M.**

The Colorado Public Utilities Commission ("commission") hereby issues the following Notice of Proposed Rulemaking concerning emergency reporting services, 4 Code of Colorado Regulations 723-29 ("E-911 Rules"). This year, the commission adopted these rules, which became effective on June 30, 1992. In the first submissions by the companies, the commission has observed problems with Rule 7. In particular, the commission became concerned that the companies were proposing rates for the provision of 911 service and charges for automatic number identification which were not compensatory, just, and reasonable. Accordingly, the commission will propose a new Rule 7(2)(b) and new Rule 7(3) of the E-911 Rules attached as the Appendix to this Decision.

THEREFORE, THE COMMISSION ORDERS THAT:

1. The Commission hereby gives notice of proposed rulemaking under the State Administrative Procedures Act, Colorado Revised Statutes Section 24-4-103 (1988 Rep. Vol. 10A), concerning Local Exchange Providers Rule 7 of the emergency reporting rules, 4 Code of Colorado Regulations 723-29 attached as the Appendix to this Decision.

2. The Executive Secretary of the Commission shall file with the Secretary of State the necessary documents to allow for notice of the proposed emergency reporting services rules Rule 7 Local Exchange Providers. The Secretary of State shall receive the Notice on or before October 30, 1992, for publication in the November 10, 1992 issue of the Colorado Register.

3. Commissioner Christine E. M. Alvarez, as hearings commissioner, will conduct public hearings on the attached proposed Rule 7 of the emergency reporting services rules, 4 Code of Colorado Regulations 723-29 as follows:

Date: Monday, December 14, 1992

Time: 9 a.m.

Place: Colorado Public Utilities Commission
Logan Tower
1580 Logan Street, Office Level 2
Commission Hearing Room "A"
Denver, Colorado 80203

4. Comments on the subject matter in this Notice of Proposed Rulemaking shall be filed on or before noon on December 9, 1992. (It is not necessary to file a formal Notice of Intervention. The Commission will accept comments from anyone who wishes to make a statement.)

5. This Notice of Proposed Rulemaking will be published by the Colorado Secretary of State, in the Colorado Register on November 10, 1992.

ADOPTED IN OPEN MEETING on October 28, 1992.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert E. Ziemer

Larry J. Nakarado

Shirley E. M. Moran

Commissioners

RULE 7: LOCAL EXCHANGE PROVIDERS

(2) (a) All Local Exchange Providers shall furnish all name, address and telephone number information and other information that may be required, for all published, non-listed and non-published customers of the Local Exchange Provider to the ALI Database Provider, Basic Emergency Service Provider, and the Governing Body for the provision of 911 services, upon certification by the recipients that the recipient has been authorized to receive such information and that the recipient has complied with Rule 9 of these Rules. Transmission of non-listed and non-published name and number information shall not be limited to a per-call basis. All costs for furnishing this information and updates to this information shall be considered as part of Basic Local Exchange Service and shall be recovered through the basic local exchange rates and/or non-recurring charges for establishing Basic Local Exchange Service, unless provided for in a separate tariff.

(b) If a Local Exchange Provider chooses to develop a separate tariff rate for providing name, address and telephone numbers, the specific non-recurring tariff rate shall be cost based and shall be separately charged to the ALI Database Provider. A recurring rate for this non-recurring activity shall not be accepted by the Commission. Total Service Long Run Incremental Costs for the specifically identified additional cost for providing name, address and numbers to the ALI Database Provider shall be used to develop the non-recurring tariff

rates. Any such tariff filing for establishing a specific non-recurring tariff rate for providing name, address and telephone numbers shall be accompanied by copies of the cost study(s), estimates of demand and projections of proposed revenue impacts.

- (3) The cost for the provision of ANI necessary for E911 service to the Basic Emergency Service Provider and/or Public Safety Answering Point shall be included in the Basic Local Exchange rates of a Local Exchange Provider unless a non-discriminatory specific tariff rate has been established for the provision of ANI on all services that use ANI such as but not limited to, Long Distance (Toll) Services, Operator Services, E911 Service. The Total Service Long Run Incremental Costs shall be utilized to identify the specific cost for providing ANI for E911 Service. The tariffed rate for ANI shall be assessed on a per call basis. Any proposed monthly rate for ANI based on the number of access lines shall not be accepted by this Commission.

[NEW LANGUAGE IS HIGHLIGHTED.]