

Decision No. C03-0221

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-033T

IN THE MATTER OF THE APPLICATION OF AMERICATEL CORPORATION FOR
A LETTER OF REGISTRATION TO PROVIDE EMERGING COMPETITIVE
TELECOMMUNICATIONS SERVICES.

ORDER GRANTING LETTER OF REGISTRATION

Mailed Date: February 28, 2003

Adopted Date: February 26, 2003

I. BY THE COMMISSION

A. Statement and Findings of Fact

1. On January 24, 2003, Americatel Corporation (Americatel) filed a request for a Letter of Registration (LOR) to provide emerging competitive telecommunications services. 4 *Code of Colorado Regulations* (CCR) 723-25.

2. Specifically, Americatel seeks a LOR to provide non-optional operator services throughout the State of Colorado. Americatel's request does not seek any specific form of relaxed regulation.

3. Notice of the application was posted on the Commission's web site on January 27, 2003. Interventions were due on or before February 18, 2003. None were filed.

B. Discussion

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

5. Granting Americatel's request is consistent with the legislative policy statements contained in § 40-15-101, C.R.S. Americatel has stated sufficient grounds to warrant the approval of its request. Therefore, a LOR will be granted.

6. Providers of non-optional operator services are granted specific regulatory treatment pursuant to 4 CCR 723-18-5.3. This Order does not grant any other specific form of relaxed regulation.

II. ORDER

A. The Commission Orders That:

1. Americatel Corporation is granted a Letter of Registration to provide intrastate, non-optional operator services throughout the State of Colorado. Americatel Corporation shall not provide non-optional operator services in Colorado until: 1) the Commission approves its tariffs or price lists for relevant services; and 2) the applicant complies with applicable Commission rules and any conditions established by Commission order.

2. Within three years of the Mailing Date of this Decision and Order, Americatel Corporation shall file an advice letter containing a proposed tariff to become effective on not less than 30 days' notice. 4 *Code of Colorado Regulations* 723-25. If a Letter of Registration for non-optional operator services has been granted, a tariff shall also include the relevant operator service rules 4 *Code of Colorado Regulations* 723-18-6. Americatel Corporation may also file a separate price list with the tariff.

3. If Americatel Corporation fails to file a tariff and price list pursuant to ordering paragraph 2 above, this Decision and Order shall be deemed null and void. For good cause shown, and if a proper request is filed within three years of the Mailing Date of this Decision and

Order, the Commission may grant Americatel Corporation additional time within which to file a tariff and price list.

4. Americatel Corporation will be required to participate in the High Cost Support Mechanism and the Public Utilities Commission Fixed Utilities Fund. Americatel Corporation shall participate in any other financial support mechanisms that may be created in the future to implement §§ 40-15-502(4) and (5), C.R.S. Failure to do so may result in revocation of the Letter of Registration.

5. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
February 26, 2003.**

(SEAL)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

GREGORY E. SOPKIN

POLLY PAGE

ATTEST: A TRUE COPY

Bruce N. Smith
Director

JIM DYER

Commissioners