

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-115T

IN THE MATTER OF THE APPLICATION OF C III COMMUNICATIONS OPERATIONS,
LLC FOR A LETTER OF REGISTRATION TO PROVIDE EMERGING COMPETITIVE
TELECOMMUNICATIONS SERVICES.

ORDER GRANTING APPLICATION

Mailed Date: April 24, 2003
Adopted Date: April 23, 2003

I. BY THE COMMISSION

A. Statement and Findings of Fact

1. On March 24, 2003, C III Communications Operations, LLC (C III), filed an application for a Letter of Registration to provide emerging competitive services throughout the State of Colorado. 4 *Code of Colorado Regulations* (CCR) 723-25-4.

2. Notice of the application was posted on the Commission's web site on March 27, 2003. Interventions were due on or before April 16, 2003. None were filed.

B. Discussion

3. The application is unopposed and may be considered without a hearing. § 40-6-109(5), C.R.S.

4. Granting the application of C III is consistent with the legislative policy statements contained in §§ 40-15-101, 40-15-501, and 40-15-502, C.R.S.

5. Before providing emerging competitive telecommunications services, C III must:
(1) have effective tariffs for its services on file with the Commission; and (2) comply with all

statutory and regulatory requirements applicable to telecommunications providers subject to the jurisdiction of the Commission. 4 CCR 723-25-4.1.10.

II. ORDER

A. The Commission Orders That:

1. C III Communications Operations, LLC's application is deemed complete.
2. C III Communications Operations, LLC, is granted a Letter of Registration to provide the following emerging competitive telecommunications services throughout the State of Colorado: advanced features, premium services, interLATA toll, intraLATA toll, jurisdictional Private Line, and non-optional operator services.
3. C III Communications Operations, LLC's emerging competitive telecommunications services, with the exception of non-optional operator services, will be regulated under the default regulatory scheme contained in 4 *Code of Colorado Regulations* 723-38.
4. C III Communications Operations, LLC's non-optional operator services will be regulated under the default regulatory scheme contained in 4 *Code of Colorado Regulations* 723-18.
5. C III Communications Operations, LLC, shall serve customers in its service territory on a non-discriminatory basis.
6. Unless the Commission orders otherwise, C III Communications Operations, LLC, shall begin providing emerging competitive telecommunications services within three years after the grant of this Letter of Registration. 4 *Code of Colorado Regulations* 723-25-6.

7. Before commencing operations under this Letter of Registration to provide emerging competitive telecommunications services, C III Communications Operations, LLC, shall file an Advice Letter containing a proposed tariff to become effective on not less than 30 days' notice. 4 *Code of Colorado Regulations* 723-1-41. C III Communications Operations, LLC, may also file a separate price list with the proposed tariff.

8. If C III Communications Operations, LLC, fails to file an effective tariff within three years from the Mailing Date of this Order, this Letter of Registration to provide emerging competitive telecommunications services 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 Order, the Commission may grant C III Communications Operations, LLC, additional time within which to file a tariff.

9. In accordance with the Commission's Rules of Practice and Procedure, C III Communications Operations, LLC, will be required to maintain its books of accounts and records using Generally Accepted Accounting Principles. 4 *Code of Colorado Regulations* 723-1-25(c).

10. Consistent with terms and conditions established in previous Commission decisions, C III Communications Operations, LLC, will be required to contribute to the Public Utilities Commission's Fixed Utilities Fund, the Colorado High Cost Support Mechanism, the Telecommunications Relay Services for the Disabled Telephone Users Program, the Emergency Telephone Access Act Program (Low Income Fund), and other financial support mechanisms that may be created in the future by the Commission to implement §§ 40-15-502(4) and (5), C.R.S.

11. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONER'S WEEKLY MEETING
April 23, 2003.**

(S E A L)



ATTEST: A TRUE COPY

Bruce N. Smith
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

GREGORY E. SOPKIN

POLLY PAGE

JIM DYER

Commissioners