

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-310T

IN THE MATTER OF THE APPLICATION OF SBC TELECOM, INC. TO AMEND ITS
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE AUTHORITY
FOR STATEWIDE OPERATIONS.

**ORDER GRANTING THE EXPANSION
OF A CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY
TO PROVIDE LOCAL EXCHANGE
TELECOMMUNICATIONS SERVICES**

Mailed Date: August 21, 2003
Adopted Date: August 20, 2003

I. BY THE COMMISSION

A. Statement and Findings of Fact.

1. On July 18, 2003, SBC Telecom, Inc. (SBC), filed an application to amend its Certificate of Public Convenience and Necessity (CPCN) to provide local exchange telecommunications services on a statewide basis.

2. Notice of the application was posted on the Commission's web site on July 22, 2003. Interventions were due on or before August 11, 2003. None were filed.

B. Discussion.

3. In Decision No. C00-158, this Commission granted SBC a CPCN to provide local exchange telecommunications services in the greater Denver local calling area.

4. In Decision No. C00-632, this Commission granted SBC's application to expand its CPCN for local exchange telecommunications services to include the Colorado Springs, Monument, Fort Collins, Loveland, and Pueblo exchange areas.

5. In Decision No. C00-722, this Commission granted SBC's application for a CPCN to provide emerging competitive telecommunications services throughout the State of Colorado and for relaxed regulatory treatment of its jurisdictional emerging competitive telecommunications services.

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

7. Consistent with terms and conditions established in previous Commission decisions, SBC will be required to participate in the Colorado High Cost Fund, the Telecommunications Relay Services for the Disabled Telephone Users Program, the Emergency Telephone Access Act Program (Lifeline Program), 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. SBC acknowledges that prior to providing local exchange telecommunications services it must: (1) have on file with the Commission effective tariffs or price lists for its services; and (2) comply with all Commission rules and orders applicable to the provision of local exchange telecommunications services unless it has obtained a waiver.

8. Additionally, in accordance with Rule 25(c) of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* 723-1, SBC will continue to be required to maintain its books of accounts and records using Generally Accepted Accounting Principles.

9. Expanding SBC's operating authority is consistent with the legislative statements of policy contained in §§ 40-15-101, 40-15-501, and 40-15-502, C.R.S.

II. ORDER**A. The Commission Orders That:**

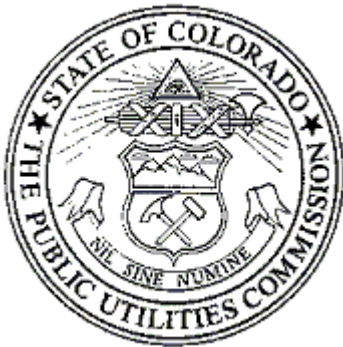
1. SBC Telecom, Inc.'s application to expand its certificate of public convenience and necessity to provide local exchange telecommunications services to a statewide basis is granted.

2. SBC Telecom, Inc., shall have the obligation to serve all customers in its service territory on a non-discriminatory basis only in areas in which it has such facilities. "Service territory" shall be defined as that portion of Colorado included in the exchange maps provided with the applicant's tariffs. However, SBC Telecom, Inc., shall not be required to extend service to customers where the underlying facilities-based provider has no facilities.

3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
August 20, 2003.**

(SEAL)



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

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