

Decision No. C03-1273

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03V-424T

IN THE MATTER OF THE APPLICATION OF MCIMETRO ACCESS TRANSMISSION
SERVICES L.L.C. FOR A VARIANCE FROM RULE 4 CCR 723-2-10.1.1.

DECISION GRANTING APPLICATION FOR VARIANCE

Mailed Date: November 13, 2003
Adopted Date: November 12, 2003

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of MCImetro Access Transmission Services, L.L.C.'s (MCImetro) application for extension of a temporary variance from 4 *Code of Colorado Regulations* 723-2-10.1.1 (Rule 10). Rule 10 requires local exchange carriers to type or machine print their monthly bills to consumers. MCImetro asks to be allowed to continue to provide electronic billing (e-billing) for the period of one year or until the Commission addresses rule revisions that may modify Rule 10.

2. In Decision No. C02-1455, the Commission granted MCImetro a variance of Rule 10 until December 31, 2003.

3. Notice of the application was posted on the Commission's web site on October 2, 2003. Interventions were due on or before November 3, 2003. None were filed.

4. We have previously stated that it is our intention to initiate a rulemaking proceeding to revise our telephone rules (Decision No. C02-902). At that time, revisions to Rule 10.1.1, which would allow all local exchange carriers (LECs) to use e-billing will likely be

considered. Therefore, we grant MCImetro's request for an extension of its variance until Rule 10.1.1 is revised to allow e-billing by LECs in general, but, in any event, the variance shall not continue beyond December 31, 2004.

II. ORDER

A. The Commission Orders That:

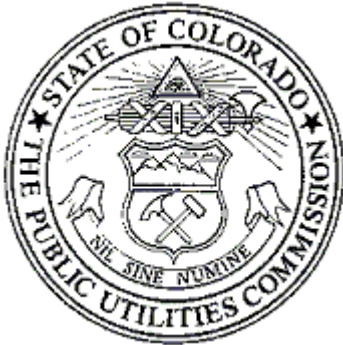
1. The application by MCImetro Access Transmission Services, L.L.C. is deemed complete.

2. MCImetro Access Transmission Services, L.L.C.'s application for an extension of variance from 4 *Code of Colorado Regulations* 723-2-10.1.1 is granted. The variance shall continue until that rule is revised in the Commission rulemaking docket but, in no event shall this variance continue beyond December 31, 2004.

3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
November 12, 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