

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03M-509T

IN THE MATTER OF THE REQUEST OF THE AT&T COMMUNICATIONS OF THE
MOUNTAIN STATES, INC. FOR COMMISSION APPROVAL OF AN OPERATIONAL TEST.

DECISION GRANTING APPLICATION FOR VARIANCE

Mailed Date: December 4, 2003
Adopted Date: December 3, 2003

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of AT&T Communications of the Mountain States, Inc.'s (AT&T) request filed on November 24, 2003 for approval of an operational test to offer residential local telephone service. AT&T acknowledges that it may not be able to strictly comply with Commission rules during the trial and requests that the Commission allow it to conduct a market trial with this understanding.

2. AT&T in its filing included additional information that was provided to the Commission under protective seal. The information provided additional disclosure related to the market trial to be conducted.

3. The Commission will treat AT&T's request as a motion for variance of our telecommunications rules related to the offering of telecommunications services.. No specific ending date to the variance of Commission rules was identified in AT&T's request.

4. Notice of the filing was posted on the Commission's web site on December 1, 2003.

5. We encourage alternative market entry strategies for competitors in the telecommunications market. The Colorado Legislature has directed this Commission to encourage competition and AT&T's request to conduct a market trial may increase the level of competition to the benefit of consumers. Therefore, we grant AT&T's request to conduct a market trial for residential local exchange services and in turn allow a temporary variance to Commission rules related to the offering of these services until May 11, 2004.

II. ORDER

A. The Commission Orders That:

1. AT&T Communications of the Mountain States, Inc.'s request for a variance of the Commission's telecommunication rules for the purpose of conducting a market trial is granted. The variance shall continue until May 11, 2004.

2. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
December 3, 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