

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03M-523T

IN THE MATTER OF THE ADMINISTRATION OF THE COLORADO NO-CALL LIST
ANNUAL FEE SETTING.

**COMMISSION ORDER SETTING THE
ANNUAL REGISTRATION FEES FOR
THE COLORADO NO-CALL LIST
FOR THE CALENDAR YEAR 2004**

Mailed Date: December 12, 2003
Adopted Date: December 10, 2003

I. BY THE COMMISSION

A. Statement

1. On November 13, 2001, the Commission issued Decision No. C01-1138 adopting the proposed rules concerning the Colorado No-Call List, 4 *Code of Colorado Regulations* (CCR) 723-22. On March 25, 2003, the Colorado Legislature enacted HB03-1098 allowing wireless telephone service subscribers to add their wireless numbers to the Colorado No-Call List. The Commission adopted emergency rules to implement the addition of wireless telephone numbers to the list effective June 1, 2003.

2. Our Rule 4 CCR 723-22 requires telephone solicitors to register and submit an annual registration fee to the Designated Agent, InsightAmerica, Inc., formerly known as E-infodata.com, Inc. (InsightAmerica). Rule 4 CCR 723-22.3.2 states that the Commission will set the annual registration fees for the Colorado No-Call List on a sliding scale. Those registration fees shall be collected by InsightAmerica. The maximum fee allowable by state statute and Commission rule is \$500. The maximum fee may be applicable to those companies, persons, or

entities with more than 1,000 employees. Companies, persons, or entities with fewer than five employees need not pay a registration fee.

3. The recommended annual registration fees for 2004 will remain the same as the annual registration fees charged in the calendar year 2003. The annual registration fees were lowered in 2003 from the original fees set in 2002. The annual registration fees decreased because the number of telemarketers that registered for the No-Call program was more than initially anticipated in our original forecast. In setting the annual registration fee, Staff of the Public Utilities Commission also reviewed quarterly and semi-annual reports provided by InsightAmerica. The following chart lists the 2004 fees for the Colorado No-Call List registration:

<u># of Employees</u>	<u>Fee Amount</u>
1-4 Employees	\$ 0
5-10 Employees	\$ 25
11-50 Employees	\$ 75
51-100 Employees	\$ 100
101-250 Employees	\$ 150
251-400 Employees	\$ 200
401-1000 Employees	\$ 225
Greater than 1001 Employees	\$ 250

The Commission may adjust the fees annually based on the revenues collected by the designated agent, InsightAmerica. The Commission will continue to review reports from the designated agent to adjust the registration fees in future years.

II. ORDER

A. The Commission Orders That:

1. Pursuant to Rule 4 *Code of Colorado Regulations* 723-22-3.2, the Commission, acting as Administrator, sets the Colorado No-Call List Annual Registration Fees for the calendar year 2004 as specified above.
2. The annual registration fees are effective January 1, 2004.
3. The Designated Agent shall continue to submit quarterly and semi-annual reports to the Commission for review.
4. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
December 10, 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

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Commissioners