

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

DOCKET NO. 91M-314T

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RULES PRESCRIBING THE STANDARD PROCEDURES FOR ADMINISTERING THE  
COLORADO LOW-INCOME TELEPHONE ASSISTANCE FUND, 4 CCR 723-13.

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**COMMISSION ORDER AUTHORIZING CERTAIN LOCAL  
EXCHANGE TELECOMMUNICATIONS PROVIDERS TO  
RECEIVE TRANSFERS FROM THE COLORADO LOW-  
INCOME TELEPHONE ASSISTANCE FUND**

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Mailed Date: June 25, 2004  
Adopted Date: June 22, 2004

**I. BY THE COMMISSION**

**A. Statement**

1. In 1990, the Legislature established the Colorado Low-Income Telephone Assistance Program (Fund or LITAP), also called Lifeline. *See* § 40-3.4-101 *et seq.*, C.R.S. In 1991, the Commission adopted Rules Prescribing the Procedures for Administering the Low-Income Telephone Assistance Fund (Rules). 4 *Code of Colorado Regulations* 723-13. Rule 13-5 provides for the reimbursement of basic local exchange telecommunications providers from the Fund, as well as for the remittance of any excess collections by providers to the Fund. In addition, Rule 13-5.4 provides:

Upon collecting the uniform charge, each provider may retain, from the total charges collected, an amount sufficient to reimburse such provider for its provision of low-income telephone assistance. If the total collected is in excess of the amount sufficient to reimburse the provider, the provider shall remit the excess to the Low-Income Telephone Assistance Fund. If the total collected is insufficient to reimburse the provider, the provider shall request reimbursement from the State Treasurer, who shall debit the same to the Low-Income Telephone Assistance Fund.

2. The Commission has established the Fund with the State Treasurer and is acting in the capacity of Administrator of the Fund. The Commission has received requests for reimbursement or reports of excess collections from providers of basic local exchange telecommunications services that have Lifeline tariffs on file.

3. At its Weekly Meeting on June 22, 2004, the Commission discussed the review of the 2003 Annual Low-Income Telephone Program Reports. As a result of this review, the Commission finds that the following telecommunications providers shall receive reimbursement in the amounts as stated:

Bijou	\$ 230.74
Big Sandy	\$ 1,225.20
Blanca	\$ 3,729.92
CenturyTel of Eagle	\$ 103,818.10
Columbine	\$ 2,413.62
Delta County (TDS)	\$ 10,314.82
Eastern Slope	\$ 1,936.22
El Paso County Telephone Co.	\$ 1,287.84
Farmers Telephone Company	\$ 858.06
Haxtun Telephone Co.	\$ 2,691.80
Nucla-Naturita Telephone Company	\$ 2,198.60
Peetz Co-op Telephone Company	\$ 359.00
Phillips County Telephone Co	\$ 1,724.00
Pine Drive Tel. Co. (J.E.D. Enterprises)	\$ 640.24
Plains Coop. Telephone Assoc.	\$ 1,816.70
Qwest	\$ 423,452.04
Rico	\$ 248.14
Rye Telephone Company	\$ 692.98
South Park, LLC	\$ 184.14
Stoneham Cooperative Telephone Corp.	\$ 9.52
Sunflower	\$ 307.16
Wiggins Telephone Association	\$ 84.50
<b>TOTAL</b>	<b>\$ 560,223.34</b>

4. The Commission finds that the following providers shall be invoiced in the amounts stated for collections in excess of expenses:

Complete Telecommunications, Inc.	\$ 116.04
Excel Telecommunications, Inc.	\$ 948.50
Global Crossing Local Services	\$ 2,839.20
Global Crossing Telemanagement, Inc.	\$ 955.08
Grand Valley Internet, Inc.	\$ 131.04
Ionex Communications North, Inc.	\$ 1,932.52
Lightyear Communications, Inc.	\$ 2,594.76
Live Wire Networks, Inc.	\$ 54.70
Now Communications, Inc.	\$ 7.74
San Isabel	\$ 100.44
SBC Telecom, Inc.	\$ 384.66
U.S. Online Communications, Inc.	\$ 857.06
VarTec Telecommunications, Inc.	\$ 1,345.92
Willard Telephone Company	\$ 56.20
<u>XO Communications, Inc.</u>	<u>\$ 6,178.16</u>
TOTAL \$18,502.92	

5. Some telecommunications providers have yet to submit their Annual Report to the Commission. Further orders of the Commission for calendar year 2003 may be required.

6. After further review of the 2002 Low-Income Telephone Assistance Program reports of several providers, the Commission finds that the amounts invoiced AT&T Communications of the Mountain States, Inc., and CenturyTel of Colorado as ordered in C03-0683 should be reduced to zero. The Commission is reviewing additional information from TCG of Colorado for 2002 and 2003, and will issue further orders as required.

7. On April 30, 2004, Liberty Bell Telecom paid the Fund \$492.10. However, because Liberty Bell Telecom does not have LITAP provisions in its tariff on file with the Commission and did not collect the LITAP uniform charge from its customers, the payment will be refunded to Liberty Bell Telecom.

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

1. Pursuant to § 40-3.4-108(1), C.R.S., and Rules 4 and 5 of the Commission's Rules Prescribing the Procedures for Administering the Low-Income Telephone Assistance Fund, 4 *Code of Colorado Regulations* 723-13, the providers listed in Section 3 of the Statement part of this Order shall receive reimbursements from the Colorado Low-Income Telephone Assistance Program totaling \$560,223.34 for calendar year 2003.

2. The providers listed in Section 4 of the Statement part of this Order shall contribute to the Colorado Low-Income Telephone Assistance Program an additional \$22,083.34 of excess charges collected for calendar year 2003.

3. The calendar year 2002 invoiced amount for AT&T Communications of the Mountain States, Inc., and CenturyTel of Colorado is zero.

4. Liberty Bell Telecom shall be reimbursed \$492.10 from the Fund.

5. The Commission may enter subsequent orders should the amounts in this Order change.

6. The 20-day time-period provided for by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration begins on the first day after the mailing of this Order.

7. This Order is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
June 22, 2004.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Commissioners