

Decision No. C04-1556

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

DOCKET NO. 04M-649T

---

IN RE: THE REJECTION OF FIRST REVISED PAGE 90 OF ADVICE LETTER NO. 7  
FILED BY LIGHTYEAR NETWORK SOLUTIONS LLC.

---

**ORDER REJECTING ADVICE LETTER IN PART**

---

---

Mailed Date: December 28, 2004  
Adopted Date: December 28, 2004

**I. BY THE COMMISSION**

**A. Statement**

1. On December 14, 2004, Lightyear Network Solutions LLC (Lightyear or Company) filed Advice Letter No. 7. Lightyear states that this filing is to revise definitions; revise text in rules and regulations; revise and add new rates for service connection charges and surcharges; update the description for LightyearHOME; add Lightyear Biz Services; update optional features offered on a usage basis, directory assistance and listing services, miscellaneous services, and add the Company's new ISDN/PRI service. The proposed effective date of the tariff sheets is December 29, 2004.

**B. Findings of Fact**

2. The filing contained errors and omissions identified by Commission Staff regarding the Company's business offerings, which were not in compliance with rules and regulations regarding basic service.

3. On December 27, 2004, Lightyear filed an Amended Advice Letter No. 7 correcting these errors and omissions.

4. However, Amended Advice Letter No. 7 also contained a First Revised Page 90 that was not part of the original Advice Letter No. 7. The cover sheet of Amended Advice Letter No. 7 and First Revised Page 90 are attached.

5. An amendment to an advice letter cannot address pages that were not included in the original advice letter. Proper procedure is for Lightyear to file changes to Original Page 90 in a new advice letter, which would be Advice Letter No. 8.

**C. Conclusions**

6. Being fully advised of the matter, we will accept all pages included in Amended Advice Letter No. 7 filed by Lightyear Network Solutions, LLC. except for First Revised Page 90.

**II. ORDER**

**A. The Commission Orders That:**

1. Advice Letter No. 7 filed by Lightyear Network Solutions LLC on December 14, 2004, is allowed to go into effect by operation of law with the exception of First Revised Page 90, which shall be rejected.

2. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
December 28, 2004.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioners