

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-356AT

**IN THE MATTER OF THE APPLICATION OF PREMIER COMMUNICATIONS, INC.
TO DISCONTINUE OR CURTAIL JURISDICTIONAL TELECOMMUNICATIONS
SERVICE.**

TRANSITION PLAN

The following Transition Plan (the "Plan") provides that the customers currently served by Premier Communications, Inc. ("Premier") will receive written notice that they may choose another local and long distance service provider and that those who do not choose another provider in accordance with the Plan, will be transferred to the provider of last resort, Qwest Corporation ("Qwest"), as the default provider designated by the Commission in accordance with Rule 723-25-7.6 (g). This Plan is necessary to ensure continuity of service for Premier's customers because Premier is discontinuing telecommunications service in Colorado.

I. INTRODUCTION

1. On July 8, 2004 Premier filed the application captioned above seeking to discontinue providing Local Exchange Telecommunications Services and Emerging Competitive Telecommunications Services in Colorado.¹

2. The following Plan has been developed to provide the operational steps and procedural safeguards necessary for the Colorado Public Utilities Commission ("Commission") to approve Premier's Application to discontinue the provision of telephone service to its Colorado customers while ensuring that all these customers maintain continuity of basic phone

¹ Premier's Application In the Matter of the Application of Premier Communications, Inc. to Discontinue or Curtail Jurisdictional Telecommunications Service, Docket No.04A-356AT.

service, and at the same time, considering Qwest's financial and operational interests in a timely transition.

II. THE TRANSITION PLAN FOR PREMIER CUSTOMERS

1. The transition period will be approximately seventy-five (75) calendar days, beginning with the mailing of customer notice of Premier's intent to exit the market (the "Notice Letter") within ten (10) calendar days of the effective date of the Commission's Order approving this Application, and ending on the date the last Premier customer is transferred to the default provider. The first forty-five (45) days of the transition period provide an opportunity for Premier customers to be given notice of the company's exit from the market and their opportunity to choose another local and long-distance provider (Premier is providing both services to its customers). Between ten (10) and fifteen (15) calendar days of the effective date of the Order, Qwest shall mail written notice to Premier customers describing Qwest's role as default provider in accordance with the Plan and in compliance with 47 CFR §64.1120(e)(3). See Attachment B, Qwest Notice Letter (without attachments). After this notice period, Premier customers, who either did not choose another provider and who made any necessary acceptable payment arrangements with Qwest for a prior unpaid bill, will be transitioned to the default provider to ensure continuity of service. At any time during and after the transition period, customers may change providers if they wish.

2. In accordance with Commission Rule 4 CCR 723-25-7.6(g), and because Qwest is the provider of last resort for the area served by Premier under Commission Rule 4 CCR 723-42, the Commission will designate Qwest as the default provider of local exchange service and long-distance service for those Premier customers who do not choose another provider and are currently Premier local and long-distance customers.

3. Within ten (10) calendar days following the effective date of the Order approving the Application, Premier will send the attached Notice Letter and List of Alternative Providers (Attachment A) to its customers via First Class Mail. This Notice Letter contains the information required by 4 CCR 723-25-7.6, but has been modified as described below. In addition, Premier will mail by separate First Class Mail a notice to the board of county commissioners of each affected county, and the mayor of each affected city, town, or municipality. Not less than 3 business days after the Notice Letter has been provided to all Premier customers, Premier will file with the Commission an affidavit attesting to the date on which notice was provided and the method used to give notice, and include a sample copy of each notice given.

4. The Notice Letter modifies the Form A customer notice required by Commission Rule 4 CCR 723-25-7.7, and the list of alternative providers is a modification of the latest Commission jurisdictional list (see Rule 4 CCR 723-25-7.6(d)) to reflect current circumstances. See Attachment A. The Form A contemplates customer notice being sent prior to any proceeding concerning the Application to Discontinue Providing Reg ulated Telecommunications Services and gives notice to the exiting CLEC's customers of the opportunity to participate in that proceeding. However, the Notice Letter is being sent after Commission approval of the Application, requiring the modifications. Also, the Commission's jurisdictional list of providers has been modified to include only those local exchange providers ready, willing and able to provide local service to Premier's customers at the time of the hearing in this docket.

5. Qwest shall send a notice to Premier customers between ten (10) and fifteen (15) calendar days after the effective date of the Commission's Order approving the Application and the Plan, but not less than 30 days prior to transferring any Premier customers to Qwest.

Qwest's notice shall describe its role as default provider and comply with FCC rules, 47 CFR

§ 64.1120, by including:

- (i) The date on which Qwest will become the customer's provider of telecommunications service under the Transition Plan.
- (ii) The rates, terms, and conditions of the service(s) to be provided by Qwest upon the customer's default to Qwest's service, and the means by which Qwest will notify the customer of any change(s) to these rates, terms, and conditions.
- (iii) Qwest will waive any carrier change charges associated with the transfer to Qwest,
- (iv) The customer's right to select a different preferred carrier for the telecommunications service(s) at issue, if an alternative carrier is available;
- (v) All customers receiving the notice, even those who have arranged preferred carrier freezes through Premier on the service(s) involved in the transfer, will be transferred to Qwest, unless they have selected a different carrier before the transfer date; existing preferred carrier freezes on the service(s) involved in the transfer will be lifted; and the customers must contact their new local service provider to arrange a new freeze.
- (vi) Whether Qwest will be responsible for handling any complaints filed, or otherwise raised against Premier prior to or during the transfer; and,
- (vii) Qwest's toll-free customer service telephone number.

6. When Premier sends the customer notice, it shall also file with the Commission as a non-confidential exhibit in this docket, the published subscriber list information of its customers in paper and electronic form, including name, address, and telephone number, to

permit other CLECs to solicit those customers who are not on the Colorado or national do-not-call lists. Commission Staff shall provide the subscriber list upon request of a CLEC on the Commission's Jurisdictional List of Telecommunications Providers. If Premier fails to file this information as required, then Qwest shall file with the Commission the published subscriber list information obtained from Qwest wholesale operations authorized in the paragraph below.

7. Qwest wholesale operations shall be authorized and ordered to provide Qwest retail operations the necessary information for Qwest retail operations to satisfy its obligations as defined in the Plan.

8. Not less than 30 days after Qwest provides its Notice Letter (without attachments), included as Attachment B to the Plan, to Premier's customers, Qwest will begin migrating Premier customers who have no unpaid indebtedness to Qwest for jurisdictional services and who did not choose another provider. This transfer of Premier customers to Qwest's service shall occur without interruption of service and with their current features and enhanced services, as feasible, and at the current Qwest rates. With the exception of those customers whose presubscribed long-distance carrier is Premier, customers will retain their existing inter and intraLATA carriers and these presubscribed carriers will remain unchanged unless and until a change is requested by the customer. If a customer is currently presubscribed to Premier long-distance service and did not choose another 1+ presubscribed carrier, that customer will be assigned to a similar Qwest long-distance plan. There will be no charge imposed by Qwest or Premier to customers for changing telecommunications service to another carrier as a result of the discontinuance of service.

9. Based on Premier's estimate that it has about 3,700 customers, and anticipating a certain percentage choosing another provider, Qwest estimates it will require about 30 days to

migrate the remaining Premier customers to Qwest service. If Qwest experiences unforeseen difficulties in completing the migration process by the end of this transition period, Qwest will notify Premier and the Commission.

10. Not less than 30 days after Qwest provides its Notice Letter to Premier's customers, Qwest will make one (1) attempt to contact any customer, by telephone, that owes a final bill for jurisdictional services to Qwest from a previous account, and leave a message to contact Qwest regarding their telephone service if they do not reach them personally. If they neither reach such customer nor leave a message on the first attempt, Qwest will make a second attempt to reach them on a different day and at a different time. If a customer communicates with Qwest and does not make arrangements, which are satisfactory to Qwest, to reconcile his/her final bill amount for jurisdictional services, Qwest will inform the customer that Qwest will not accept the account under those circumstances, that the customer must seek service from another provider prior to the time when Premier discontinues service, and that Qwest will not furnish him/her local service unless arrangements to reconcile such final bill are made. Without regard to whether Qwest is able to communicate with a customer, it will not be required to provide service to a customer who fails to satisfy or reach an agreement acceptable to Qwest to satisfy an outstanding final bill for jurisdictional services. Not less than 30 business days following the mailing of the last Qwest notice letter, Qwest will file with the Commission the number and percentage of customers who were not defaulted to Qwest due to an unresolved outstanding bill for jurisdictional services as well as the date that the last Premier customer was transitioned to Qwest or disconnected from Premier.

11. Not later than 30 days after customers are migrated, Qwest will send its Welcome Letter to those customers confirming that Qwest is now their service provider, and confirming

the customer's service, products, features, including long-distance as applicable, and their associated rates. See Attachment C.

12. Premier will cease providing local exchange and long-distance service in Colorado at the end of the transition period. In any event, once a Premier customer has been transferred to Qwest or to another provider selected by the customer, Qwest will cease billing Premier for wholesale services for that customer.

13. If Premier holds deposits for service from customers, it will refund the deposit and provide an affidavit to the Commission confirming the return of the deposits by the date determined by the Commission. The affidavit will include each customer's name, address, telephone number and the amount of the deposit returned and the date it was returned.

14. If any customer has prepaid Premier for service, and Premier has not provided the customer with such service, Premier will refund the customer its advance for service. Premier will provide an affidavit to the Commission confirming the refund of any advances to customers by the date determined by the Commission. The affidavit will include each such customer's name, address, telephone number, the amount of the refund, and the date the refund was mailed.

15. Premier shall not bill any customers for services rendered after the date Qwest reports that such customer has been disconnected from Premier's service. Premier will refund any overpayments within 30 days after the customer is disconnected from its service.

16. Premier shall relinquish its CPCN and its Letter of Registration, and Premier's tariff(s) shall be canceled simultaneous with the disconnection of the last customer from Premier's service. No further filing will be required to effectuate the withdrawal of Premier's tariffs on file with the Commission, and the Commission's records will be updated at that time to reflect the withdrawal.

17. If Premier wishes to offer regulated telecommunications service in the future, it may file a new CPCN application and tariff with the Commission.

18. Premier shall cooperate fully with Commission Staff, the OCC and the default provider, Qwest, in implementing this Plan. In the event that Premier cannot comply with any aspect of the Transition Plan, it shall inform the Commission and the parties as soon as possible.

Attachment A

**PREMIER COMMUNICATIONS, INC. WILL STOP PROVIDING LOCAL AND LONG
DISTANCE TELEPHONE SERVICE IN COLORADO**

Dear Customer,

Premier Communications, Inc. has received approval from the Colorado Public Utilities Commission (PUC) to stop providing you with local telephone service on or about **XXXX XX, 2004**. Due to financial difficulties, Premier has ceased operating as a telephone company in Colorado. You have two options to maintain telephone service:

1. Before **YYYY YY, 2004**, you can sign up with another telephone company of your choice (see attached list of other telephone companies prepared by the PUC and the Office of Consumer Counsel) and keep your current telephone number; or,
2. Your service will be transferred automatically to Qwest, the default provider designated by the PUC, to ensure your service is not disrupted. The transfer will occur between **YYYY YY** and **XXXX XX, 2004**. Neither Qwest nor Premier will charge you to transfer your service.

If you are also a Premier long distance customer, you may choose another long distance provider before **YYYY YY, 2004**, or you will be transferred to a similar Qwest long distance plan. If you are currently a customer of a long distance company other than Premier, your long distance provider will remain unchanged unless and until you request a change.

Please be aware that if you do not choose another provider and you are transferred to Qwest, you will receive the same telephone number and the same service and features that you have now, except they will be provided under Qwest's terms and conditions and Qwest's rates.

Depending on your credit history, Qwest may charge you a deposit. **Please note: If you owe Qwest a previous bill for regulated services like local phone service, you must either pay Qwest what is owed, make acceptable payment arrangements, or choose another provider to ensure your service is continued without disruption.**

You may call Qwest at 888-807-8694 to discuss a previous bill, choose another long-distance carrier or for any other questions you might have if you are transitioning your local service to Qwest.

Please be assured that if your service is transferred to Qwest, you are free to choose a different local or long distance provider at any time.

Premier Communications, Inc.

LIST OF ALTERNATIVE LOCAL TELEPHONE SERVICE COMPANIES
August 13, 2004

Appendix A
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Company	Telephone Number	Service Offerings	Website
ACN Communications	1-866-864-3822	Residential	www.acninc.com
CCI	1-888-989-2900	Residential and Business	www.ccitelecom.com
Comcast Serving Denver Metro only	1-800-266-2278	Residential and Business	www.comcast.com
EV Communications Serving Denver Metro, Ft. Collins, Greeley, Boulder and Colorado Springs	1-866-403-8266	Residential and Business	www.evcommunications.com
Eschelon Telecom	303-423-4250	Business	www.eschelon.com
Excel Telecommunications	1-877-392-3548	Residential	www.excel.com
Granite Telecommunications	1-866-847-5500	Business	www.granitenet.com
Liberty Bell Telecom	1-866-664-2355	Residential and Business	www.libertybelltelecom.com
LightYear Network Solutions	1-888-999-7932	Residential	www.lightyearcom.com
MCI metro	1-877-777-6271	Residential	www.mci.com
	1-800-624-7766	Business	
McLeodUSA	1-800-909-3012	Residential and Business	www.mcleodusa.com
New Century Datacom Serving the Western Slope	970-248-0188	Residential and Business	
Phones For All Pre-paid local service	1-800-477-1992	Residential	www.phonesforall.com
Qwest	1-800-244-1111	Residential	www.qwest.com
	1-800-603-6000	Business	
SBC Telecom	1-877-430-7228	Residential and Business	www.sbctelecom.com

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Company	Telephone Number	Service Offerings	Website
Telecom Affiliates	1-800-754-1001	Residential and Business	www.telecomaffiliates.com
Touch Home Phone	1-877-222-2152	Residential and Business	www.gettouc.net
VarTec Telecom	1-888-370-1012	Residential	www.vartec.com

ATTACHMENT B
QWEST NOTICE LETTER TO PREMIER CUSTOMERS

PREMIER COMMUNICATIONS, INC. IS CEASING TO PROVIDE LOCAL AND LONG-DISTANCE TELEPHONE SERVICE IN COLORADO

Dear Customer,

Premier Communications, Inc. has received approval from the Colorado Public Utilities Commission (PUC) to stop providing you with local telephone service. Due to financial difficulties, Premier will cease operating as a telephone company in Colorado within the next 30 to 60 days. You should have recently received a letter from Premier explaining your options and informing you that Qwest will become your provider on or about XXXX XX, 2004, if you have not chosen an alternative provider prior to that time and if you do not have any prior unpaid bills to Qwest for regulated services. As part of this arrangement, Qwest will be receiving your account information from Premier.

To maintain continuity of your telephone service, the PUC ordered Qwest as the default provider to transfer you from Premier to Qwest local and long-distance service (if Premier provided your long-distance). If you are currently a customer of a long distance company other than Premier, your long distance provider will remain unchanged unless and until you request a change. Even if you are transferred to Qwest as the default provider, you may at any time choose another provider. For your convenience, the PUC and the Office of Consumer Counsel have prepared the attached list of alternative providers from whom you may choose. If you had asked Premier for a preferred carrier freeze on your local and/or long distance services, those freezes have been lifted in the transfer process. If you are transferred to Qwest, please contact Qwest at the number below if you would like to institute a new freeze on any of your new service providers, otherwise please contact your new local service provider.

As ordered by the PUC, you will be transferred to Qwest service, at no charge to you, with the same telephone number and, to the extent possible, the same services and features that you have now, except they will be provided under Qwest's terms and conditions and Qwest's rates. A copy of Qwest's price list is enclosed with this letter. Once your service has been transferred, you will receive a Welcome Letter from Qwest, informing you of your new services and features. If you

were also a Premier long-distance customer, you will be transferred to a similar Qwest long-distance plan. Again, you are free to choose another long-distance provider other than Qwest at any time, and if you have any questions about the services or features identified in your Welcome Letter, please call Qwest at the 800 number listed below.

Depending on your credit history, Qwest may charge you a deposit. **Please note:** if you owe Qwest a previous bill for local telephone service, before Qwest will transfer your account, you must either pay Qwest what is owed, make acceptable payment arrangements, or choose another provider to ensure your service is continued without disruption.

You may call Qwest at 800-244-1111 to discuss a previous Qwest residential bill, choose another long-distance carrier, or for any other questions you might have including questions about Qwest's rates, terms and conditions for service. For a previous Qwest business bill, or to choose another business long-distance carrier, or for any other business service questions you might have, you may call Qwest at 800-603-6000.

Please be assured that your transfer to Qwest service, as ordered by the PUC, in no way prevents you from choosing a different local or long-distance provider at any time. If you have any questions or complaints regarding your service with Premier, please either call Premier directly, or the Colorado Public Utilities Commission at 303-894-2070 or if outside of the Denver metro area at 1-800-456-0858.

By: _____

ATTACHMENT C
QWEST'S WELCOME LETTER



March 26, 2004

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**THANK YOU FOR
YOUR ORDER!**

Please check the services listed here and make sure they are correct. If you need to make changes, or have any questions about your order, please call 1-800-244-1111 and refer to:
Your order date: (01-01-00)
Your order number: (0000000000)

ORDER CONFIRMATION

You have ordered these services for:
(360) 574-1111

Your per-month charges will be:
Qwest Choice™ Home \$35.99
(Includes line & Line-Backer™
& up to 3 selected features)
Qwest Choice™ Long Distance **
plus applicable taxes, surcharges, fees

You have ordered these services for:
(360) 571-9295

Your per-month charges will be:
Qwest Choice™ Long Distance **
plus applicable taxes, surcharges, fees

** You'll also want to look at the
detailed information included.

Dear ,

First of all, I'd like to thank you for choosing Qwest for your telecommunication needs. **Please take a moment to confirm the list of services you ordered and the important instructions enclosed.**

As you use your new services, I'd also like to let you know about some of the ways we're making it easier than ever for you to do business with us:

- **MyAccount™, a newly designed, customizable Web site is available to manage your account.** Visit www.qwest.com and log in under the *Manage MyAccount* section to view your Qwest bill, order products and services, report a problem, check your wireless minutes usage and more.
- **Extended customer service hours that work with your busy lifestyle.** Call us Monday-Friday from 7 a.m. to 9 p.m. and Saturday from 8 a.m. to 4:30 p.m.
- **Live residential repair service representatives** available 24 hours a day, 7 days a week at 1-800-573-1311 or online at www.qwestrepair.com.
- **Service backed by the Qwest Promise of Value™.** You can be sure that Qwest is working to develop new ways to bring you the best value for your money.

Once again, on behalf of everyone at Qwest, allow me to **thank you for your order.** We work hard every day to bring our customers the best products and service — That's our Spirit of Service in Action™. Please feel free to contact us at 1-800-244-1111 or www.qwest.com.

Sincerely,

Mark Pitchford
Vice President Market Management

P.S. With the Qwest Promise of Value, we're looking for ways to bring you the best value for your money.