

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 16R-0453T

IN THE MATTER OF THE PROPOSED AMENDMENTS TO TELECOMMUNICATIONS
RULES IMPLEMENTING HB14-1329, HB14-1330, AND HB14-1331, 4 CODE OF
COLORADO REGULATIONS 723-2.

**INTERIM DECISION OF
HEARING COMMISSIONER
FRANCES A. KONCILJA
GRANTING EXPEDITED MOTION
TO MODIFY PROCEDURAL SCHEDULE**

Mailed Date: June 29, 2016

I. STATEMENT

A. Background

1. By Decision No. C16-0508 mailed June 10, 2016, the Commission issued a Notice of Proposed Rulemaking to amend the Rules Regulating Telecommunications Providers, Services, and Products contained in 4 *Code of Colorado Regulations* 723-2 implementing House Bills 14-1329, 14-1330, and 14-1331. In this Decision, the Commission established a procedural schedule including comment deadlines and hearing dates and assigned Commissioner Frances Koncilja as hearing commissioner.

B. Motion

2. On June 24, 2016, Qwest Corporation, doing business as CenturyLink QC, CenturyTel of Eagle, Inc., CenturyTel of Colorado, Inc., and El Paso County Telephone Company; the Colorado Telecommunications Association; Level 3 Communications; AT&T Corp. and Teleport Communications America LLC; West Safety Communications Inc.; Bresnan Broadband of Colorado, LLC; and Sprint Communications Company L.P.

(collectively Joint Movants) filed a Joint Expedited Motion to Modify Procedural Schedule (Joint Motion). In this Joint Motion, the participants indicate that significant effort and time is necessary for the evaluation of and comment on the Commission's proposed rules.

3. During an information session with Staff of the Colorado Public Utilities Commission (Staff) regarding the rules, held on June 23, 2016, the Joint Movants proposed that this rulemaking should proceed with reasonable speed, but that the schedule outlined in Commission Decision No. C16-0508 is too compressed to allow for meaningful input by the participants.

4. Therefore, the Joint Movants request that the Commission allow for additional time for participants to provide comments and redline rule proposals, schedule a second workshop to review comments and rule proposals, and extend the date for hearing.

5. The Joint Movants suggest the following procedural schedule: initial comments due on August 12, 2016; reply comments due on September 13, 2016; and the hearing held for two days during the week of September 26, 2016. The Joint Movants also request a second workshop to discuss redline rule proposals to be held for one day during the week of August 29, 2016.

6. I find good cause to extend the time for interested participants to file comments on the proposed rules and redline rule proposals and to extend the date for the public comment hearing.

7. I will not order a specific date or time for a second informal workshop as suggested by the Joint Movants, but I recommend that Staff work with participants on scheduling such a workshop to discuss initial comments and redline rules.

8. The August 8 and 9, 2016 hearing dates were published with the Secretary of State in the June 25, 2016 *Colorado Register* and therefore must be held. I will hold a hearing on August 8, 2016, but I do not expect substantive comment at that time.

9. I will conduct a public comment hearing on the proposed rules and related issues on September 26 and 27, 2016. Interested persons may submit written comments on the rules no later than August 12, 2016, and any pre-filed comments responsive to the initial comments must be submitted no later than September 13, 2016. I prefer that comments be filed using the Commission's E-Filing System at <http://www.dora.state.co.us/pls/efi/EFI.homepage>.

II. **ORDER**

A. **It Is Ordered That:**

1. The Expedited Motion to Modify Procedural Schedule filed by Qwest Corporation, doing business as CenturyLink QC, CenturyTel of Eagle, Inc., CenturyTel of Colorado, Inc., and El Paso County Telephone Company; the Colorado Telecommunications Association; Level 3 Communications; AT&T Corp. and Teleport Communications America LLC; West Safety Communications Inc.; Bresnan Broadband of Colorado, LLC; and Sprint Communications Company L.P. is granted.

2. A hearing on the proposed rules and related matters is scheduled as follows:

DATES: September 26 and 27, 2016

TIME: 9:00 a.m.

PLACE: Commission Hearing Room B
1560 Broadway, 2nd Floor
Denver, Colorado

3. At the time set for hearing in this matter, interested persons may submit written comments and may present these orally unless Hearing Commissioner Frances A. Koncilja deems oral comments unnecessary.

4. Initial pre-filed comments shall be submitted no later than August 12, 2016, and any pre-filed comments responsive to the initial comments shall be submitted no later than September 13, 2016.

5. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

FRANCES A. KONCILJA

Hearing Commissioner

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director