

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 SUPPLEMENTING RECORD**

Mailed Date: January 13, 2017

I. STATEMENT

1. The undersigned Hearing Commissioner conducted the public comment hearing on December 19, 2016. Participants in this rulemaking filed post-hearing comments on January 6, 2017. The Hearing Commissioner appreciates all the work of the participants and the resulting consensus they achieved for most of the revised rules.

2. The purpose of this rulemaking is to implement the 2014 Telecom Reform Legislation. Under §§ 40-15-401(1)(s) and (t), C.R.S., the Commission's authority to apply §§ 40-15-112 and -113, C.R.S., is limited to interexchange carriers. As a result, the Hearing Commissioner intends to recommend that the Commission adopt the version of Revised Rule 2310 that limits the Commission's jurisdiction over "slamming and cramming" issues to interexchange carriers.

3. However, the Commission continues to receive complaints about slamming and cramming involving other types of providers. Attached to this decision are two reports—Attachment A for slamming and Attachment B for cramming—for fiscal years 2013, 2014, and 2015. The Hearing Commissioner intends to discuss these reports in her recommended decision

and explain that the current statute is harming customers because the Commission will no longer have a means to address these ongoing problems.

4. The record in this Proceeding remains open until a final decision is issued by the Commission. The Hearing Commissioner will consider any comments addressing this Decision and its Attachments that are filed by January 19, 2017.

II. ORDER

A. It Is Ordered That:

1. Attachment A and Attachment B to this Order are part of the record of this proceeding and are available through the Commission's Electronic Filing (E-Filing) system at:

https://www.dora.state.co.us/pls/efi/EFI.Show_Docket?p_session_id=&p_docket_id=16R-0453T.

2. The record remains open. Participants may file additional comments addressing this Decision and its Attachments through January 19, 2017, for consideration in the recommended decision.

3. Comments may be filed in this rulemaking proceeding using the Commission's E-Filing System at <http://www.dora.state.co.us/pls/efi/EFI.homepage>.

4. 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