

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19A-0622T

IN THE MATTER OF THE APPLICATION OF SAN LUIS VALLEY RURAL ELECTRIC COOPERATIVE, INC. ALSO KNOWN AS CIELLO, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (CPCN) TO PROVIDE PART IV SERVICES IN THE STATE OF COLORADO (4 CCR 723-2-2103).

DECISION GRANTING APPLICATION

Mailed Date: December 12, 2019

Adopted Date: December 11, 2019

I. BY THE COMMISSION

A. Statement

1. On November 6, 2019, San Luis Valley Rural Electric Cooperative (SLV), also known as (a/k/a) Ciello, Inc. (Ciello) filed an application (Application) for a Certificate of Public Convenience and Necessity (CPCN) to provide local exchange telecommunications services, that will include voice service pursuant to Rule 2103 of the Rules Regulating Telecommunications Services and Providers of Telecommunications Services, 4 *Code of Colorado Regulations* (CCR) 723-2.

2. On November 8, 2019, Notice of the Application was provided to all persons, firms or corporations, interested in or affected by the grant or denial of the request. Interventions were due on or before December 9, 2019.

3. On November 21, 2019, SLV filed a supplement to its Application that included responses to questions posed by Staff of the Commission related to the request for authority.

4. No interventions were filed.

A. Discussion

5. No one has filed an intervention opposing the Application. We therefore find that the application is unopposed and will consider it without a formal hearing pursuant to § 40-6-109(5), C.R.S.

6. The Commission modified its Rules Regulating Telecommunications Services and Providers of Telecommunications Services, 4 CCR 723-2 (Proceeding No. 16R-0453T, with an effective date of September 1, 2017). The modified rules allow providers offering Part IV services under § 40-15-401, C.R.S., to apply to the Commission to obtain a CPCN. No CPCN is required for services classified in Part IV of Article 15 of Title 40 of the Colorado Revised Statutes.

7. In order for SLV to provide local exchange service through resale or unbundled network elements, it must enter into an interconnection agreement with the underlying carrier Qwest Corporation, doing business as CenturyLink QC (CenturyLink). Nothing precludes SLV from commencing discussions with CenturyLink before it actually receives its CPCN if it has not already done so and intends to provide services in CenturyLink service areas where SLV lacks facilities to provide end to end services. Upon having an executable interconnection agreement, SLV shall provide the central office name and the associated CLLI code where SLV will collocate its telecommunications equipment.

8. With the issuance of this authority, SLV must: (1) have an effective interconnection agreement with the underlying carrier CenturyLink, as necessary, to provide its services; (2) provide the central office name and CLLI code where SLV has collocated its telecommunications equipment; and, (3) comply with all statutory and regulatory requirements pursuant to Rule 2103(a)(XVI).

II. ORDER

A. The Commission Orders That:

1. San Luis Valley Rural Electric Cooperative, Inc. (SLV), a/k/a Cielo, Inc. is granted a Certificate of Public Convenience and Necessity (CPCN) to provide local exchange telecommunications services that includes voice services with the conditions included herein.

2. SLV is not required to create and provide tariffs to the Commission for local exchange services. While not required by this Commission, SLV is encouraged to provide its rates, terms, and conditions of services on its website.

3. Before commencing operations under this CPCN to provide local exchange telecommunications services, SLV, as necessary, shall have an effective interconnection agreement with the underlying provider, Qwest Corporation, doing business as CenturyLink QC.

4. SLV shall serve its customers on a non-discriminatory basis.

5. Consistent with terms and conditions established in previous Commission decisions, SLV will be required to contribute based on the entirety of its intrastate gross retail revenues of its services, regardless of the technology, to the Public Utilities Commission's Telecommunications Utilities Fund, the Colorado High Cost Support Mechanism, the Colorado Telephone Users Disabilities Fund, and other financial support mechanisms that may be created in the future by the Commission to implement §§ 40-15-502(4) and (5), C.R.S.

6. The 20-day period provided for in § 40-6-114, C.R.S., within which to file applications for rehearing, reargument, or reconsideration begins on the first day following the effective date of this Decision.

7. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
December 11, 2019.**

(S E A L)



ATTEST: A TRUE COPY

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

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

FRANCES A. KONCILJA

JOHN GAVAN

Commissioners