

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 21A-0170T

IN THE MATTER OF THE APPLICATION OF CONEXON CONNECT, LLC FOR ELIGIBLE
TELECOMMUNICATIONS CARRIER DESIGNATION FOR PURPOSES OF RECEIVING
RURAL DIGITAL OPPORTUNITY FUND PHASE I SUPPORT AND LIFELINE SUPPORT.

**COMMISSION DECISION APPROVING
DISCONTINUANCE OF ELIGIBLE
TELECOMMUNICATIONS DESIGNATION
IN CERTAIN TERRITORY**

Mailed Date: October 25, 2022
Adopted Date: October 19, 2022

1. STATEMENT

A. Summary

1. This Decision addresses Conexon Connect LLC's Notice of Partial Discontinuance of Service and Request for Commission Acknowledgement of Discontinuance (Notice) filed on September 16, 2022. We acknowledge the Notice and approve the partial discontinuance of service and relinquishment of Eligible Telecommunications Carrier designation in certain census block groups as required by Rule 4 CCR 723-2-2186(h), with further details below.

B. Background

2. The procedural history of Conexon's ETC designation is set forth in this docket by Decision No. C21-0313.

3. The day before Conexon filed this application for ETC designation with this Commission, the FCC, in a release dated May 3, 2022, defaulted Conexon from Rural Digital

Opportunity Fund (RDOF) Phase I support in eight census block groups (CBGs) that were located in federally recognized tribal lands in Colorado.¹

4. A Public Notice by the FCC on June 14, 2022, contained the final census blocks for which Conexon was authorized for funding and RDOF Phase I support.² That notice indicated that Conexon was defaulted or chose to default on an additional 35 census block groups in which Conexon was a winning bidder in the FCC's Phase 1 auction. All told, Conexon will now receive RDOF Phase I support in 42 census block groups in Colorado.

5. On June 23, 2022, Conexon filed its Notice of Partial Discontinuance of Service and Request for Commission Acknowledgement of Discontinuance with this Commission. The Notice seeks to reconcile Conexon's ETC designation areas (which include the additional 35 non-tribal census block groups on which Conexon defaulted or elected to default) with its now smaller intended service area. As indicated by the Notice and its attached affidavit, Conexon intends to serve the remaining 42 Colorado census block groups where it will receive RDOF Phase I support.

6. As indicated in Conexon's affidavit, Conexon has not yet served any customers in Colorado. Therefore, we see no harm in approving Conexon's request to relinquish ETC designation in the 35 census block groups in which Conexon was defaulted or chose to default. Conexon continues to have ETC designation in the 42 census block groups where it will receive RDOF Phase I support.

¹ AU Docket No. 20-34, WC Docket Nos. 20-34, Attachment B (p. 1).

² FCC Public Notice, AU Docket No. 20-34, WC Docket Nos. 19-126 and 10-90, DA 22-634, Attachment A (pp. 7-9).

II. ORDER**A. The Commission Orders That:**

1 The Notice filed by Conexon Connect LLC on September 16, 2021, concerning its discontinuance of certain areas included in its Eligible Telecommunications Carrier designation included in its authority granted in Decision No. C21-0313 is acknowledged and approved by this Decision.

2. This proceeding will remain open to allow filings to be made. The filing obligations set forth in Decision No. C21-0313 will end when full deployment of facilities under the Rural Digital Opportunity Fund program is made and reported to the Federal Communications Commission.

3. This Decision is effective on its mailed date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
October 19, 2022.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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JOHN GAVAN

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Commissioners