

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0145T

IN THE MATTER OF THE APPLICATION OF TDS METROCOM, LLC FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

DECISION GRANTING APPLICATION

Mailed Date: March 19, 2014

Adopted Date: March 19, 2014

I. BY THE COMMISSION

A. Statement and Findings of Fact

1. On February 13, 2014, TDS Metrocom, LLC (TDSM), filed an application for a Certificate of Public Convenience and Necessity (CPCN) to provide local exchange telecommunications services pursuant to Rule 2103 of the Commission's Rules Regulating Telecommunications Providers, Services, and Products, 4 *Code of Colorado Regulations* 723-2.

2. Notice of the application was posted on the Commission's website on February 21, 2014. Interventions were due on or before March 17, 2014. No interventions were filed.

B. Discussion

3. The application is complete and unopposed and therefore may be considered without a hearing pursuant to § 40-6-109(5), C.R.S.

4. We find that granting TDSM's application is consistent with the legislative policy statements contained in §§ 40-15-101, 40-15-501, and 40-15-502, C.R.S.

Therefore, we grant TDSM's application for a CPCN to provide local exchange telecommunications services pursuant to Rule 2103.

5. Before providing local exchange services TDSM must: (1) have effective tariffs for its services on file with the Commission; and (2) comply with all statutory and regulatory requirements applicable to telecommunications providers subject to the jurisdiction of the Commission pursuant to Rule 2103.

II. ORDER

A. The Commission Orders That:

1. The application of TDS Metrocom, LLC (TDSM) is deemed complete.
2. Applicant TDSM is granted a Certificate of Public Convenience and Necessity (CPCN) to provide local exchange telecommunications services. A detailed description of the Applicant's service territory will be delineated in the exchange maps, or incorporated by reference, and through a list of the local calling areas in TDSM's tariff.
3. Applicant TDSM's local exchange telecommunications services will be regulated under the regulatory scheme it selected pursuant to Rule 2203, Option 2.
4. Applicant TDSM shall serve customers in its service territory on a non-discriminatory basis. "Service territory" shall be defined as that portion of Colorado included in the local exchange maps provided or incorporated by reference in the Applicant's tariff. However, TDSM shall not be required to extend service to customers where the underlying facilities-based provider has no facilities.
5. Before commencing operations under this CPCN to provide local exchange telecommunications services TDSM shall file an Advice Letter and accompanying tariff, on not less than 30 days' notice, to be effective within one year from the Mailed Date of this Decision.

The proposed tariff shall contain all the information required under Rule 2122. Applicant TDSM may also file a separate price list in addition to its proposed tariff under Rule 2123.

6. If TDSM fails to file an Advice Letter and proposed tariff that is effective within one year from the Mailed Date of this Decision, this CPCN to provide local exchange telecommunications services shall be deemed null and void without further action of the Commission. For good cause shown, and if a proper request is filed within one year of the Mailed Date of this Decision, the Commission may grant TDSM additional time within which to file a tariff.

7. We will also require TDSM to maintain its books of accounts and records using Generally Accepted Accounting Principles.

8. Applicant TDSM will be required to contribute, if applicable, for all intraLATA services, to the Public Utilities Commission's Fixed Utilities Fund, the Colorado High Cost Support Mechanism, the Disabled Telephone Users 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.

9. The 20-day time period provided by § 40-6-114, C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the effective date of this Decision.

10. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 19, 2014.**

(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

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners