

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14U-0688T

IN THE MATTER OF BIG RIVER TELEPHONE COMPANY, LLC FILING A NEW
DECLARATION OF INTENT TO PROVIDE LOCAL EXCHANGE SERVICES WITHIN
RURAL TELECOMMUNICATIONS PROVIDER TERRITORIES.

DECISION GRANTING PETITION

Mailed Date: August 12, 2014
Adopted Date: July 30, 2014

I. BY THE COMMISSION

A. Statement

1. On June 25, 2014, Big River Telephone Company, LLC (Big River or Company), filed a petition stating its Declaration of Intent to Serve Within the Territory of a Rural Telecommunications Provider (Petition) pursuant to Rule 2106 of the Rules Regulating Telecommunications Providers, Services, and Products, 4 *Code of Colorado Regulations* (CCR) 723-2.

B. Background

2. Big River is seeking authority to provide Voice over Internet Protocol telephone services in three wire centers in the rural service territories of Blanca Telephone Company and Columbine Telephone Company. The wire centers are Blanca, Crestone, and Mosca.

3. On June 25, 2014, a notice of the application was provided to all persons, firms, or corporations, interested in or affected by the grant or denial of the requested relief. Interventions were due on or before July 25, 2014.

4. No petition to intervene or notice of intervention has been filed, and thus the Petition is uncontested. Accordingly, the Petition will be determined without a formal hearing in accordance with § 40-6-109(5), C.R.S., and Rule 1403 of the Rules of Practice and Procedure, 4 CCR 723-1.

5. On June 25, 2014, the Company filed a copy of the notification of filing that it provided to Blanca Telephone Company and Columbine Telephone Company in its Petition.

C. Discussion

6. Big River was granted a Certificate of Public Convenience and Necessity to provide local exchange telecommunications services throughout the State of Colorado,¹ and has an effective tariff on file with the Commission. We find that granting the request in Big River's Petition is consistent with the legislative policy statements contained in §§ 40-15-101, 40-15-501, and 40-15-502, C.R.S., and with the public interest.

7. As requested in its Petition, Big River is granted authority to provide local exchange telecommunications services in three wire centers in the rural service territories of Blanca Telephone Company and Columbine Telephone Company. Before providing local exchange telecommunications service to customers in the three service territories listed in Exhibit A of the Petition, Big River must file an Advice Letter and proposed tariff, or modification of an existing tariff, which shall identify the exchanges, local calling areas, and service offerings, on not less than 30 days' notice.

¹ See Decision No. C13-0737, Proceeding No. 13A-0491T, issued June 21, 2013.

II. ORDER

A. The Commission Orders That:

1. The Petition filed by Big River Telephone Company, LLC (Big River or Company) on June 25, 2014 stating its Declaration of Intent to Serve Within the Territory of a Rural Telecommunications Provider is granted.

2. Big River is granted the authority to provide local exchange telecommunications services in the three wire centers as identified in its petition in the territories of Blanca Telephone Company and Columbine Telephone Company. The specific exchanges are listed in Exhibit A of the Petition.

3. Big River shall serve customers in its service territory on a non-discriminatory basis. "Service territory" shall be defined as that portion of Colorado encompassed by the exchange areas included or referenced in the Company's tariff and as listed in Exhibit A of the Petition. However, Big River shall not be required to extend service to customers where the underlying facilities-based provider has no facilities.

4. Unless the Commission orders otherwise, Big River shall begin providing local exchange services within one year after the effective date of this Decision granting its Declaration of Intent.

5. Before commencing operations pursuant to the grant of the Declaration of Intent, Big River shall file an Advice Letter and a proposed tariff, or modification of its then existing tariff to become effective on not less than 30 days' notice.

6. If Big River fails to file a tariff within one year from the effective date of this Decision, this Declaration of Intent which grants the authority to provide local exchange telecommunications in the service territory of Blanca Telephone Company and Columbine

Telephone Company shall be deemed null and void without any further action by the Commission. For good cause shown, and if a proper request is filed within one year of the effective date of this Decision, the Commission may grant Big River additional time within which to file a tariff.

7. In accordance with the Rules of Practice and Procedure, Big River will be required to maintain its books of accounts and records using Generally Accepted Accounting Principles.

8. Consistent with terms and conditions established in previous Commission decisions, Big River will be required to contribute, if applicable, for local and intraLATA services, to the Public Utilities Commission's Fixed Utilities Fund, the Colorado High Cost Support Mechanism, the Telecommunications Relay Services for the Disabled Telephone Users Program, 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
July 30, 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

Commissioners

COMMISSIONER GLENN A. VAAD
ABSENT.