

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13M-0877T

IN THE MATTER OF POSSIBLE RULE REVISIONS TO THE COMMISSION'S
RULES RELATING TO THE HIGH COST SUPPORT MECHANISM.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
MANA L. JENNINGS-FADER
MODIFYING FILING REQUIREMENTS**

Mailed Date: July 21, 2014

I. STATEMENT

1. On August 16, 2013, by Decision No. C13-0958, the Commission opened this Proceeding for these purposes:

(1) to consider [Colorado High Cost Support Mechanism (CHCSM)] rule amendments in anticipation of applications for [CHCSM] funding in areas deemed to be subject to effective competition for basic services, which may be submitted pursuant to [Rule 4 *Code of Colorado Regulations* 723-2-2215]; and
(2) to consider possible revisions to the [CHCSM] ... to update the rules for [CHCSM] generally pursuant to the triennial review contemplated in

Rule 4 *Code of Colorado Regulations* 723-2-2850.¹ Decision No. C13-0958 at ¶ 1 (footnote omitted). In that Decision, the Commission referred this Proceeding to an Administrative Law Judge (ALJ) (*id.* at ¶ 2).

2. The following either intervened as of right or were granted leave to intervene: CenturyTel of Colorado, Inc.; CenturyTel of Eagle, Inc.; El Paso County Telephone Company,

¹ The referenced Rules are found in the Rules Regulating Telecommunications Providers, Services, and Products, Part 2 of 4 *Code of Colorado Regulations* 723.

doing business as CenturyLink; Qwest Corporation, doing business as CenturyLink QC;² the Colorado Office of Consumer Counsel (OCC); the Colorado Telecommunications Association (CTA); Comcast Phone of Colorado, LLC, doing business as Comcast Digital Phone (Comcast); N.E. Colorado Cellular, Inc., doing business as Viaero Wireless (Viaero); Sprint Communications Company L.P.; Sprint Spectrum L.P., doing business as Sprint PCS;³ Trial Staff of the Commission (Staff); tw telecom of colorado, llc (tw telecom); Bell Atlantic Communications, Inc., doing business as Verizon Long Distance (Bell Atlantic); MCI Communications Services, Inc., doing business as Verizon Business Services (MCI Communications); MCIMetro Access Transmission Services LLC, doing business as Verizon Access Transmission Services (MCIMetro); NYNEX Long Distance Company, doing business as Verizon Enterprise Solutions (NYNEX); Teleconnect Long Distance Services and Systems Co., doing business as Telecom USA (Telecom USA); TTI National, Inc. (TTI); and Verizon Select Services Inc.⁴

3. The following, collectively, are the Participants in this matter: CenturyLink, Comcast, CTA, OCC, Sprint, Staff, tw telecom, Verizon, and Viaero. Each participant is represented by legal counsel.

4. The procedural history of this Proceeding is set out in Interim Decisions previously issued in this matter. The procedural history is repeated here in order to place this Interim Decision in context.

² The following entities, collectively, are CenturyLink: CenturyTel of Colorado, Inc.; CenturyTel of Eagle, Inc.; El Paso County Telephone Company, doing business as CenturyLink; and Qwest Corporation, doing business as CenturyLink QC.

³ Sprint Communications Company L.P. and Sprint Spectrum L.P., doing business as Sprint PCS, collectively, are Sprint.

⁴ The following entities, collectively, are Verizon: Bell Atlantic, MCI Communications, MCIMetro, NYNEX, Telecom USA, TTI, and Verizon Select Services Inc.

5. On June 13, 2014, by Decision No. C14-0635-I, the Commission established a schedule for the filing of initial comments (due July 11, 2014) and for the filing of response comments (due July 25, 2014).

6. On July 11, 2014, the following participants each filed initial comments on the matters addressed in Decision No. C14-0635-I: CenturyLink, CTA, OCC, Sprint, Staff, Verizon, and Viaero.

7. On July 14, 2014, by Decision No. R14-0812-I, the ALJ established additional filing requirements. Initial supplemental comments are to be filed not later than July 25, 2014, and response supplemental comments are to be filed not later than August 8, 2014⁵.

8. The supplemental initial comments are to be filed on July 25, 2014, which is the date on which response comments to the July 11, 2014 initial comments are to be filed. To reduce the number of filings and to make the process more efficient, the ALJ modifies the filing schedule established in Decision No. C14-0635-I by eliminating the July 25, 2014 response comment filing. The August 8, 2014 response comments will address *both* the initial comments *and* the supplemental initial comments. This reduces the number of filings each participant will make.

9. As modified, the filing requirements are: (a) supplemental initial comments will be filed not later than **July 25, 2014**; and (b) response comments will be filed not later than **August 8, 2014**.

⁵ Decision No. R14-0812-I states that the supplemental response comments are to be filed on August 8, 2015. This date is incorrect. The correct date is set out in this Interim Decision.

II. ORDER**A. It Is Ordered That:**

1. Consistent with the discussion above, the filing requirements of Decision No. R14-0812-I and of Decision No. C14-0635-I are clarified and modified.

2. Not later than July 25, 2014, each participant shall file supplemental initial comments that identify Colorado High Cost Support Mechanism-related issues, in addition to those identified in the participant's filing in response to Decision No. C14-0635-I, that should be discussed in this Proceeding.

3. Not later than August 8, 2014, each participant shall file response comments that address the initial comments filed on July 11, 2014 and the supplemental initial comments.

4. Participants are held to the advisements contained in the Interim Decisions issued in this Proceeding.

5. This Interim Decision is effective immediately.

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MANA L. JENNINGS-FADER

Administrative Law Judge