

(Decision No. C90-1719)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: TARIFF SHEETS FILED BY THE WILLARD TELEPHONE COMPANY IN ADVICE LETTER NO. 9.)))	DOCKET NO. 90S-054T
RE: TARIFF SHEETS FILED BY THE STONEHAM COOPERATIVE TELEPHONE CORPORATION IN ADVICE LETTER NO. 10))))	DOCKET NO. 90S-055T
RE: TARIFF SHEETS FILED BY ROGGEN TELEPHONE COOPERATIVE COMPANY IN ADVICE LETTER NO. 13.)))	DOCKET NO. 90S-056T
RE: TARIFF SHEETS FILED BY PINE DRIVE TELEPHONE COMPANY IN ADVICE LETTER NO. 25.)))	DOCKET NO. 90S-060T
RE: TARIFF SHEETS FILED BY WILLARD TELEPHONE COMPANY IN ADVICE LETTER LETTER NO. 10.)))	DOCKET NO. 90M-875T
RE: TARIFF SHEETS FILED BY THE STONEHAM COOPERATIVE TELEPHONE CORPORATION IN ADVICE LETTER NO. 11))))	DOCKET NO. 90M-876T
RE: TARIFF SHEETS FILED BY ROGGEN TELEPHONE COOPERATIVE COMPANY IN ADVICE LETTER NO. 14.)))	DOCKET NO. 90M-877T
RE: TARIFF SHEETS FILED BY PINE DRIVE TELEPHONE COMPANY IN ADVICE LETTER NO. 28.)))	DOCKET NO. 90M-878T
RE: TARIFF SHEETS FILED BY PINE DRIVE TELEPHONE COMPANY IN ADVICE LETTER NO. 26.)))	DOCKET NO. 90S-520T

COMMISSION ORDER ALLOWING PROPOSED TARIFFS TO TAKE EFFECT, ON
CONDITION THAT COMPANY FILES BURDEN LETTER BY DECEMBER 31, 1990

Release date: December 21, 1990
Adopted date: December 19, 1990

BY THE COMMISSION:

On November 21, 1990, GVNW, Inc., consultants for the these four independent telephone companies - the Willard Telephone Co., the Stoneham Cooperative Telephone Corporation, the Roggen Telephone Cooperative Co., and the Pine Drive Telephone Company, filed similar advice letters and accompanying tariff sheets, with an effective date of January 1, 1991. (Attached as Composite Exhibit "A" to this Order.) The proposal would implement an expanded local calling area by January 1, 1991, consistent with Commission policy to have as many as possible of the 26 independent telephone companies in Colorado implement an expanded local calling area by January 1, 1991.¹

The Commission Staff has reviewed the filings submitted by the four companies, and finds them acceptable. The Commission Staff has held extensive negotiations in November and December 1990 with these four companies, and all of the 26 independent telephone companies, with a view towards implementing expanded local calling areas and the Colorado High Cost Fund on a state-wide basis by January 1, 1990.

¹. The independent telephone companies provide less than 2% of local exchange service access lines in Colorado. (U S West provides over 98% of local exchange service.) The local calling area plan for the independent telephone companies is known as the "Community of Interest Calling Area Plan" and by its acronym "CICP". The CICP calling area docket, Docket Nos. 90S-053T through 90S-072T, involved 20 out of the 26 independent telephone companies. These four companies were among the 20 independents whose local calling areas were reviewed in CICP.

The Commission will allow the tariffs to go into effect, subject to the filing by each company of a "burden letter".² PUC Rule of Practice and Procedure 82(1) (found at 4 Code of Colorado Regulations 723-1) provides that the Applicant has the burden of proof and the burden of going forward. The Commission Staff has concluded that these companies have met their burden. To ensure fairness, the Commission will allow the tariffs to go into effect, but only if the companies reverse the burden of proof in PUC Rule of Practice and Procedure 82(2) (formal complaints) and PUC Rule of Practice and Procedure 82(2) (show cause proceedings), and assume the burden of proof ("burden letters") in any proceedings filed before July 1, 1991. If the "burden letters" are not filed by December 31, 1990, the tariffs will be suspended.

THEREFORE THE COMMISSION ORDERS THAT:

1. The tariffs in the attached advice letters (Composite Exhibit "A" to this Decision and Order) filed on November 21, 1990 by the Willard Telephone Co., the Stoneham Cooperative Telephone Corporation, the Roggen Telephone Cooperative Co., and the Pine Drive Telephone Company, will be allowed to take effect on January 1, 1991. Commission approval, however, is subject to the condition

². Regarding Pine Drive Docket No. 90S-520T and Advice Letter No. 26, raising \$1100 in annual revenue and not directly involving these matters, will also be allowed to go into effect on January 1, 1991.

that each company files a "burden letter" reversing the burden of proof in PUC Rule of Practice and Procedure 82(2) (formal complaints) and PUC Rule of Practice and Procedure 82(2) (show cause proceedings), (found at 4 Code of Colorado Regulations 723-1). The burden letters shall be filed with the Commission on or before December 31, 1990. If the burden letter is not timely filed, the tariffs shall be suspended. The burden letters shall specify that the companies have the burden of proof for formal complaint and show cause proceedings relating to these tariffs filed on or before July 1, 1991.

2. Regarding Pine Drive Telephone Company, Advice Letter No. 26 will be allowed to go into effect on January 1, 1991. The suspension order is lifted. The company's tariff as filed in Advice Letter No. 26 is approved, with the revision of the tariff's effective date to January 1, 1991. Docket No. 90S-520T is hereby closed.

3. The twenty-day time period provided in Colorado Revised Statutes § 40-6-114(1) (1990 Cum.Supp. Vol.17) to file an application to the Commission for rehearing, reargument, or reconsideration, begins on the day after the release date (mailing date) of this decision.

4. This Order is effective immediately on the date of its release.

ADOPTED IN OPEN MEETING ON December 19, 1990.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Arnold H. Cook
Ronald L. Pelt
Larry J. Nakarado
Commissioners

MAILED

JAN 3 1991

(Decision No. C90-1719-E)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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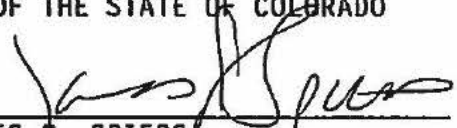
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RE: TARIFF SHEETS FILED BY THE PINE DRIVE TELEPHONE COMPANY IN ADVICE LETTER NO. 28.)))	DOCKET NO. 90M-878T
RE: TARIFF SHEETS FILED BY THE PINE DRIVE TELEPHONE COMPANY IN ADVICE LETTER NO. 26.)))	DOCKET NO. 90S-820T ERRATA NOTICE

(Adopted date: December 19, 1990)
(Released date: December 21, 1990)
(Decision No. C90-1719)

Page 1, opposite captions change Docket No. 90S-520T to read
Docket No. 90S-820T.

Page 4, paragraph 2, last sentence, Change Docket No. 90S-520T
to Docket No. 90S-820T.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



JAMES P. SPIERS
Executive Secretary

Dated at Denver, Colorado, this
3rd day of January 1991.

jkm:0742A

COMPOSITE EXHIBIT
"A"



November 21, 1990

Willard Telephone Company

Advice Letter No. 10
Ref: Decision No. C90-503
Docket No. 90S-054T

Colorado Public Utilities Commission
1580 Logan Street
Logan Towers, Office Level 2
Denver, CO 80203

The accompanying tariff sheet issued by The Willard Telephone Company is sent to you for filing in compliance with the requirements of the Public Utilities Law:

Colorado PUC No. 1
Sheet Number
2nd Revised Sheet No. 1

Cancels Colorado PUC No. 1
Sheet Number
1st Rev. Sheet No. 1

These revisions are necessary in order to comply with Commission Decision No. C90-503 expanding local calling areas and implementing cost allocation rules adopted in Docket 89R-608T. Local rates will increase from \$1.00 to \$17.69, an increase of 1669%. Access rates will experience an overall increase of approximately 4.6%. Willard concurs in the access tariff of Pine Drive. Revised access rates will be filed by Pine Drive. The Company will qualify for \$12,900 of Colorado High Cost Funding.

The revenue requirement for Willard was developed utilizing an operating ratio methodology. Use of a return on rate base methodology would not result in sufficient revenues for the Company due to the small net rate base.



GVNW INC./MANAGEMENT

2270 La Montana Way P.O. Box 25969 Colorado Springs, CO 80936 (719) 594-5800 FAX: (719) 599-0968

Page 2

Willard Advice No. 10

Attached to this advice letter are exhibits 1 through 5. All customers receiving local and access service will receive notification of this filing in their next monthly billing or by first class mail. When notification is completed, the Commission will receive a notarized statement to that affect.

It is desired that this filing be effective on January 1, 1991.

Respectfully,



Robert Adkisson
Vice President/GVNW

Enclosure





November 21, 1990

Stoneham Coop Telephone Corp

Advice Letter No. 11
Ref: Decision No. C90-503
Docket No. 90S-055T

Colorado Public Utilities Commission
1580 Logan Street
Logan Towers, Office Level 2
Denver, CO 80203

The accompanying tariff sheet issued by Stoneham Cooperative Telephone Corporation is sent to you for filing in compliance with the requirements of the Public Utilities Law:

Colorado PUC No. 1
Sheet Number
2nd Revised Sheet No. 1

Cancels Colorado PUC No. 1
Sheet Number
1st Rev. Sheet No. 1

These revisions are necessary in order to comply with Commission Decision No. C90-503 expanding local calling areas and implementing cost allocation rules adopted in Docket 89R-608T. Local rates will increase from \$4.50 to \$17.58, an increase of 291%. Access rates will experience an overall increase of approximately 4.6%. Stoneham concurs in the access tariff of Pine Drive. Revised access rates will be filed by Pine Drive. The Company will qualify for \$3,461 of Colorado High Cost Funding.

The revenue requirement for Stoneham was developed utilizing an operating ratio methodology. Use of a return on rate base methodology would not result in sufficient revenues for the Company due to the small net rate base.



GVNW INC./MANAGEMENT

2270 La Montana Way P.O. Box 25969 Colorado Springs, CO 80936 (719) 594-5800 FAX: (719) 599-0968

Page 2

Stoneham Advice No. 11

Attached to this advice letter are exhibits 1 through 5. All customers receiving local and access service will receive notification of this filing in their next monthly billing or by first class mail. When notification is completed, the Commission will receive a notarized statement to that affect.

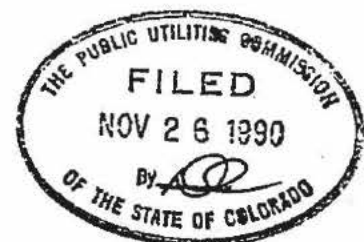
It is desired that this filing be effective on January 1, 1991.

Respectfully,



Robert Adkisson
Vice President/GVNW

Enclosure





November 21, 1990

Roggen Telephone Coop. Co.

Advice Letter No. 14
Ref: Decision No. C90-503
Docket No. 90S-056T

Colorado Public Utilities Commission
1580 Logan Street
Logan Towers, Office Level 2
Denver, CO 80203

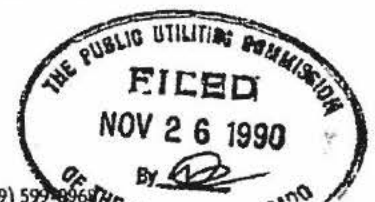
The accompanying tariff sheet issued by Roggen Telephone Cooperative Co. is sent to you for filing in compliance with the requirements of the Public Utilities Law:

Colorado PUC No. 1
Sheet Number
4th Revised Sheet No. 2

Cancels Colorado PUC No. 1
Sheet Number
3rd Rev. Sheet No. 2

These revisions are necessary in order to comply with Commission Decision No. C90-503 expanding local calling areas and implementing cost allocation rules adopted in Docket 89R-608T. Local rates will increase from \$11.60 for rotary dial to \$14.46, an increase of 24.6%. Access rates will experience an overall increase of approximately 4.6%. Roggen concurs in the access tariff of Pine Drive. Revised access rates will be filed by Pine Drive. The Company will qualify for \$56,271 of Colorado High Cost Funding.

The revenue requirement for Roggen was developed utilizing an operating ratio methodology. Approval of rates as filed will allow Roggen to continue to earn the same net operating income as has been estimated for 1990 of \$77,359. This results in a high return on rate base which is not a representative measure since Roggen does not have substantial rate base upon which to earn. Roggen is preparing to rebuild most of its plant within the next three to five years and needs to accumulate sufficient cash to help fund the upgrade. As a part of this filing, and in conjunction with the plans for plant upgrade, revised depreciation rates are also being proposed. These rates are shown on Exhibit No. 2.



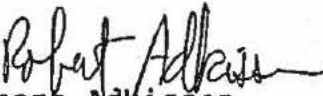
Page 2

Roggen Advice No. 14

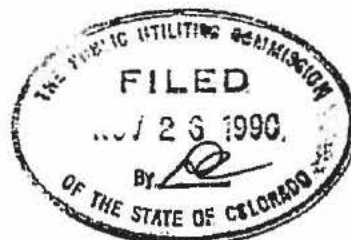
Attached to this advice letter are exhibits 1 through 5. All customers receiving local and access service will receive notification of this filing in their next monthly billing or by first class mail. When notification is completed, the Commission will receive a notarized statement to that affect.

It is desired that this filing be effective on January 1, 1991.

Respectfully,


Robert Adkisson
Vice President/GVNW

Enclosure





November 21, 1990

Pine Drive Telephone Comp.

Advice Letter No. 28
Ref: Decision No. C90-503
Docket No. 90S-060T

Colorado Public Utilities Commission
1580 Logan Street
Logan Towers, Office Level 2
Denver, CO 80203

The accompanying tariff sheets issued by Pine Drive Telephone Company are sent to you for filing in compliance with the requirements of the Public Utilities Law:

Colorado PUC No. 2
Sheet Number
2nd Revised Sheet No. 32
1st Revised Sheet No. 32A

Cancels Colorado PUC No. 2
Sheet Number
1st Revised Sheet No. 32
Original Sheet No. 32A

Colorado PUC No. 10
Page Number
5th Revised Page 1
1st Revised Page 68
1st Revised Page 72
1st Revised Page 73
4th Revised Page 197
3rd Revised Page 198
1st Revised Page 200

Cancels Colorado PUC No. 10
Page Number
4th Revised Page 1
Original Page 68
Original Page 72
Original Page 73
3rd Revised Page 197
2nd Revised Page 198
Original Page 200

These revisions are necessary in order to comply with Commission Decision No. C90-503 expanding local calling areas and implementing cost allocation rules adopted in Docket 89R-608T. Local rates will increase from \$10.50 for residential service to \$17.05, an increase of 62.4%. Access rates will experience an overall increase of approximately 4.6%. The Company will qualify for \$168,212 of Colorado High Cost Funding.



Pine Drive
Advice Letter No. 28
Page 2

The revenue requirement for Pine Drive was developed utilizing procedures established in the Commission's rules for average schedule companies based on the test period ending October 31, 1990. This filing complies with the Commission's directive, and Pine Drive does not wish to delay the implementation of expanded calling service. However, the Company continues to feel that setting Pine Drive's rates at a level substantially higher than rates in US West served exchanges, for a similar calling area, is discriminatory toward its subscribers. Pine Drive encourages the Commission to reconsider its cost allocation rules which consistently result in the rates for local service in exchanges served by independent telephone companies being substantially higher than rates in comparable exchanges served by US West.

This filing assumes the rates applied for in Advice No. 26 will be in effect.

Attached to this advice letter are exhibits 1 through 6. All customers receiving local and access service will receive notification of this filing in their next monthly billing or by first class mail. When notification is completed, the Commission will receive a notarized statement to that affect.

It is desired that this filing be effective on January 1, 1991.

Respectfully,



Robert Adkisson
Vice President/GVNW

Enclosure

