

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE PETITION OF)
EAGLE TELECOMMUNICATIONS, INC., FOR)
WAIVER OF CERTAIN PROVISIONS OF)
RULE 9.2(A), RULES REGULATING)
TELECOMMUNICATIONS SERVICE PROVIDERS))
AND TELEPHONE UTILITIES.)

DOCKET NO. 91A-191T

COMMISSION DECISION
GRANTING WAIVER

April 24, 1991

STATEMENT

BY THE COMMISSION:

By application filed March 4, 1991, Eagle Telecommunications, Inc., petitioned this Commission to waive portions of Rule No. 9.2(a), Rules Regulating Telecommunications Service Providers and Telephone Utilities, to the extent that the rule requires that telephone bills are not considered past due until 30 days after the bill due date. As grounds for the waiver, Eagle Telecommunications, Inc., pertinently points out that it relies upon the billing system of its parent company, Pacific Telecom, Inc., Vancouver, Washington for all its bill processing.

Under the system utilized by Pacific Telecom, Inc., both the due date and the late notice date are one and the same on the bill; there is no separate 30-day waiting period for the issuance of a late notice. Rather, the bills notify the customer that in order to avoid a late notice the payment must be received by the due date printed on the top of the bill.

If granted the waiver, Eagle Telecommunications, Inc., intends to include a combined due date and late notice date on its bills that is between 25 and 30 days after the mailing of the bill. This would provide a ten-day period within which a disconnect notice can be issued in the 30 days after the mailing of the bill. Any disconnections would be between 35 and 40 days after the mailing of the bill, as is contemplated under the existing rules. This plan would avoid the utility having to extend its payment period, with a commensurate need for increased cash working capital because of a lengthened billing cycle. To the extent the utility can avoid increasing its need for cash working capital, it ameliorates potential rate impact on its customers.

The record in this matter discloses that on March 7, 1991, the Commission sent notice to all who might desire to petition or intervene, and no responses were received. An appropriate order will enter.

THEREFORE THE COMMISSION ORDERS THAT:

1. Eagle Telecommunications, Inc., is hereby granted a waiver of Rule 9.2(a), Rules Regulating Telecommunications Service Providers and Telephone Utilities, to the extent the rule requires that a bill not be considered past due if not paid within 30 days of the due date.

2. Eagle Telecommunications, Inc., is hereby authorized to include a combined due date and late notice date on its bills that is between 25 and 30 days after the date of mailing of the bill.

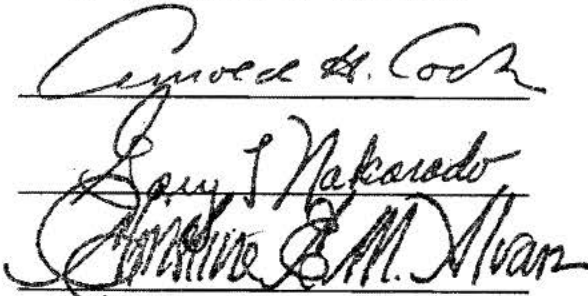
3. If not already done, Eagle Telecommunications, Inc., is hereby ordered to file appropriate tariff provisions to this effect, citing this decision as the basis for the filing of the tariff and indicating that the same should go into effect upon one day's notice.

4. The 20-day time period provided for by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration begins on the first day after the mailing or serving of this Decision and Order.

This decision is effective immediately.

DONE IN OPEN MEETING April 24, 1991.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners