

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO~~

~~RULES REGULATING
TELECOMMUNICATIONS SERVICE PROVIDERS
AND TELEPHONE UTILITIES~~

~~4 CODE OF COLORADO REGULATIONS (CCR) 723-2~~

~~RULE (4 CCR) 723-2-1. APPLICATION OF RULES.~~

~~723-2-1.1 BASIS, PURPOSE AND STATUTORY AUTHORITY OF RULES.
The statutory authority for these amendments is found in Sections
40-3-101(2), 40-3-102, 40-3-103, 40-3-106(1)(A) and 40-4-
101, C.R.S. which empower the Commission to establish standards
for the adequacy of public utility services, including the timely
provisioning of adequate telephone service, Basic Local Exchange
Service and regulated telecommunications services, and requires
the Commission to prescribe rules and regulations for the
performance of any service or the furnishing of any commodity by
a public utility and to enforce those rules and regulations. In
addition, the Commission is authorized to promulgate rules
generally by Section 40-2-108, C.R.S., and specifically for
telecommunications services by §§ 40-15-201, 40-15-301, and 40-
15-503(2) C.R.S., in order to implement the provisions of
Title 40, Article 15, Part 2, 3, and 5 C.R.S.~~

[Omitted Material: All the current rules found in
4 CCR 723-2, are proposed to be repealed and reenacted.
Therefore, all the remaining pages of the current rules
are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO~~

~~RULES REGULATING THE COLLECTION AND DISCLOSURE
OF PERSONAL INFORMATION~~

~~4 CCR 723-7~~

~~BASIS, PURPOSE, AND STATUTORY AUTHORITY~~

~~The basis and purpose for these rules is to provide regulations concerning the collection and disclosure of personal information obtained by a public utility or telecommunications service provider within the normal course of business. The rules provide procedures to protect the personal information of customers of public utilities and customers of telecommunications service providers. These rules are issued under the authority of §§ 40-3-102, 40-4-101, and 40-2-108, C.R.S.~~

~~**RULE (4 CCR) 723-7-1. APPLICABILITY.** These rules apply to all public utilities and telecommunications service providers regulated under title 40, Article 15, Parts 2 and 3, C.R.S.~~

[Omitted Material: All the current rules found in 4 CCR 723-7, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~4 CCR 723-12~~

~~**RULES PRESCRIBING THE PROVISION OF CERTAIN
PRODUCTS AND SERVICES WITHIN OPEN NETWORK ARCHITECTURE**~~

~~BASIS, PURPOSE, AND STATUTORY AUTHORITY~~

~~— The basis and purpose of these rules are to prescribe the provision of certain regulated telecommunications products and services of local exchange telecommunications providers that fall within the Open Network Architecture (ONA) environment created at the Federal Communications Commission (FCC) for the introduction of new and innovative enhanced services and technologies to the public through the technology of the local network and for the fair and nondiscriminatory provision of local exchange providers' basic products and services to all Enhanced Service Providers (ESPs), including the ESPs of the local exchange providers themselves. These rules deal specifically with Colorado intrastate products and services and the relationship of intrastate products and services with the federal ONA policies.~~

~~— The rules are clear and simple and can be understood by persons expected to comply with them. They do not conflict with any other provision of law and there are no duplicating or overlapping rules.~~

~~— The statutory authority for these rules is § 40-2-108, C.R.S.~~

~~**RULE 1: APPLICABILITY**~~

~~— Rules 2 through 5 are applicable to all local exchange providers (LECs) which provide products and services that are under the ONA environment as it is defined in these rules.~~

[Omitted Material: All the current rules found in 4 CCR 723-12, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO
RULES PRESCRIBING
THE PROCEDURES FOR ADMINISTERING
THE LOW-INCOME TELEPHONE ASSISTANCE FUND
4 CODE OF COLORADO REGULATIONS (CCR) 723-13~~

~~BASIS, PURPOSE, AND STATUTORY AUTHORITY~~

~~— The basis and purpose for Rules is to prescribe the procedures for administering the low income telephone assistance fund for the provision of basic local exchange telecommunications services by providers of basic local exchange telecommunications services in order to promote the public health, safety and welfare, and so that low-income individuals receive assistance adequate to insure access to basic local exchange telecommunications services.~~

~~— The authority for these Rules is § 40-3.4-106, C.R.S. Further, the Commission is authorized to promulgate rules generally by §40-2-108, C.R.S., and specifically for the use of low income telephone assistance programs to further the goal of Universal Service by §40-15-502(3) C.R.S.~~

~~— These rules are consistent with 47 U.S.C., 254 and newly adopted Federal Communications Commission Rules found at Part 54 of 47 Code of Federal Regulations (C.F.R.), implementing 47 U.S.C. section 254.~~

~~RULE (4 CCR) 723-13-1. APPLICABILITY.~~

~~Rules 1 through 5 are applicable to providers of basic local exchange telecommunications services who are not eligible telecommunications carriers with more than five hundred thousand subscribers and certified to do business in the state; except that any such certified company with fewer subscribers may apply to the Commission for discounted rates for their subscribers eligible to receive low income telephone assistance by complying with Rule 3.~~

[Omitted Material: All the current rules found in 4 CCR 723-13, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE PUBLIC UTILITIES COMMISSION~~

~~OF THE STATE OF COLORADO~~

~~RULES REGULATING OPERATOR SERVICES FOR
TELECOMMUNICATIONS SERVICE PROVIDERS AND TELEPHONE UTILITIES
4 CCR 723-18~~

~~BASIS, PURPOSE, AND STATUTORY AUTHORITY~~

~~— The basis for these rules is to identify nonoptional operator services which are subject to the Commission's jurisdiction. Under § 40-15-401(1)(j), C.R.S., operator services are declared to be exempt from Commission jurisdiction. However, the definition of operator services found at § 40-15-102(20), C.R.S., states that only certain operator services are exempt from Commission jurisdiction and provides as follows:~~

~~(20) "Operator services" means optional services provided by operators to customers which offer individualized and select call processing.~~

~~(Emphasis supplied.)~~

~~— Only optional operator services are deregulated. Nonoptional operator services which do not offer individualized and select call processing remain regulated. Thus, the purpose of these rules is to establish regulatory treatment for nonoptional operator services and operator service providers that provide nonoptional operator services. The statutory authority for the Commission's rulemaking authority is found at § 40-2-108, C.R.S.~~

~~— The basis for this amendment to these rules is a need for a more flexible regulatory treatment for providers of nonoptional operator services. The purpose of this amendment is to provide a form of relaxed regulatory treatment to all providers of nonoptional operator services. The statutory authority for this amendment is found at § 40-15-302, C.R.S.~~

~~**RULE 1. APPLICABILITY.** These rules apply to all public utilities and providers of telecommunications service which are regulated under Title 40, Article 15, Parts 2 and 3, C.R.S. Any provider of local exchange services that also furnishes nonoptional operator services by contracting with a regulated interexchange carrier and that concurs in the tariffed rates, terms, and conditions of that regulated interexchange carrier shall be exempt from these rules.~~

~~**RULE 2. DEFINITIONS.** For the purposes of these rules only, unless context otherwise requires:~~

Attachment A
Decision No. C03-1393
Notice of Proposed Rulemaking, 4 CCR-723-18
Docket No. 03R-524T
Page 6 of 39

[Omitted Material: All the current rules found in 4 CCR 723-18, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~DEPARTMENT OF REGULATORY AGENCIES
PUBLIC UTILITIES COMMISSION~~

~~4 CODE OF COLORADO REGULATIONS (CCR) 723-22~~

~~COMMISSION RULES CONCERNING THE COLORADO NO-CALL LIST~~

~~BASIS, PURPOSE AND STATUTORY AUTHORITY~~

~~The basis and purpose of these rules is to implement the Colorado No Call List Act, §§ 6-1-901 et. seq. C.R.S. The Act intends that the Commission, primarily through oversight of the Designated Agent, develop a mechanism by which the privacy of residential telephone subscribers and wireless telephone service subscribers, and the commercial interests of telephone solicitors are reasonably and fairly balanced.~~

~~The No Call List Act establishes procedures under which individual residential telephone subscribers and wireless telephone service subscribers can decide whether or not to receive telephone solicitations by phone or fax. It allows residential subscribers to give notice to telephone solicitors of their objection to receiving solicitations by placing their telephone numbers and zip codes on the Colorado No Call List. Business subscribers may not place their numbers and zip codes on the Colorado No Call List. A residential subscriber of telephone and/or wireless service may give notice of his or her objection to receiving telephone solicitations by one of two methods: (1) by entering the area code, phone number and zip code of the subscriber directly into the database via an Internet application housed on the designated website, or (2) by entering the area code, phone number and zip code of the subscriber directly into the database via the designated statewide toll-free telephone number. There is to be no charge to the residential subscriber or wireless telephone service subscriber for placing his or her telephone number on the No Call List. The Act requires telephone solicitors to remove from their calling lists the number of any residential subscriber or wireless subscriber who has given notice of an objection to receiving telephone solicitations.~~

~~The statute directs the Commission to administer the Colorado No Call List program, in part, by promulgating rules to such end. The Commission is empowered to contract for No Call List services with a Designated Agent; establish, by rule, guidelines for the Designated Agent; and set the annual registration fees charged to telephone solicitors by the Designated Agent.~~

~~The No Call List Act and these rules establish annual registration fees to be paid by persons or entities that wish to~~

~~make telephone solicitations or otherwise access the database of telephone numbers and zip codes contained in the Colorado No Call List database.~~

~~The statutory authority for these rules is found in §§ 6-1-905(3) and 40-2-108, C.R.S.~~

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~~RULE (4 CCR) 723-22-4. DESIGNATED AGENT'S RESPONSIBILITIES.~~

~~RULE (4 CCR) 723-22-5. WIRELESS TELEPHONE SERVICE PROVIDERS' AND LOCAL EXCHANGE CARRIERS' RESPONSIBILITIES - NOTIFICATION OF DESIGNATED AGENT.~~

~~RULE (4 CCR) 723-22-6. WAIVER.~~

~~RULE (4 CCR) 723-22-1. APPLICABILITY.~~

~~These Rules apply to the Designated Agent, wireless telephone service providers, and local exchange providers regulated by the Commission.~~

[Omitted Material: All the current rules found in 4 CCR 723-22, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO~~

~~4 CODE OF COLORADO REGULATIONS (CCR) 723-24~~

~~RULE (4 CCR) 723-24. RULES RELATING TO THE PROVISION OF N11 ABBREVIATED
DIALING CODES~~

~~Abbreviated Dialing Codes: Abbreviated dialing codes enable callers to connect to a location in the phone network that otherwise would be accessible only via a seven or ten digit telephone number. The network must be pre-programmed to translate the three digit code into the appropriate seven or ten digit telephone number, including toll free numbers, and route the call accordingly.~~

~~Among abbreviated dialing arrangements, "N11" codes are three digit codes of which the first digit can be any digit other than 1 or 0, and the last two digits are both one. N11 codes "011" and "111" are unavailable because "0" and "1" are used for switching and routing purposes.~~

~~723-24.1 The following abbreviated dialing codes have been designated and assigned by the FCC and may only be used for the stated purpose in Colorado:~~

[Omitted Material: All the current rules found in 4 CCR 723-24, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO~~

~~RULES REGULATING THE AUTHORITY TO OFFER
LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES,
EMERGING COMPETITIVE TELECOMMUNICATIONS SERVICES,
TO DISCONTINUE OR CURTAIL ANY SERVICE,
TO EXECUTE A TRANSFER OR MERGER,
AND REGISTRATION AS A TOLL RESELLER~~

~~4 CODE OF COLORADO REGULATIONS (CCR) 723-25~~

~~BASIS, PURPOSE AND STATUTORY AUTHORITY.~~

~~The basis and purpose of these rules is to establish regulations regarding applications for a certificate of public convenience and necessity to provide local exchange telecommunications services; a letter of registration to provide emerging competitive telecommunications services; to discontinue or curtail any telecommunications service; to execute a merger or transfer; and registration as a toll reseller. These rules are issued pursuant to §§ 24-4-103, 40-2-108, 40-15-301(2), 40-15-302(2), 40-15-302.5, 40-15-305(2), and 40-15-503(2), C.R.S.~~

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~~RULE (4 CCR) 723-25-4. APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES, LETTER OF REGISTRATION TO PROVIDE EMERGING COMPETITIVE TELECOMMUNICATIONS SERVICES, OR ANY COMBINATION THEREOF.~~

~~RULE (4 CCR) 723-25-5. DECLARATION OF INTENT TO SERVE WITHIN TERRITORY OF RURAL TELECOMMUNICATIONS PROVIDER.~~

~~RULE (4 CCR) 723-25-6. COMMISSION MAY DEEM CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OR LETTER OF REGISTRATION NULL AND VOID.~~

~~RULE (4 CCR) 723-25-7. APPLICATION TO DISCONTINUE OR CURTAIL REGULATED TELECOMMUNICATIONS SERVICES.~~

~~RULE (4 CCR) 723-25-8. APPLICATION TO TRANSFER~~

~~RULE (4 CCR) 723-25-9. TOLL RESELLER REGISTRATION AND OBLIGATIONS.~~

~~RULE (4 CCR) 723-25-10. WAIVER OR VARIANCE.~~

~~RULE (4 CCR) 723-25-1. APPLICABILITY.~~

~~These rules apply to all telecommunications service providers applying for a certificate of public convenience and necessity to provide local exchange telecommunications services, a letter of registration to provide emerging competitive telecommunications services, authority to discontinue or curtail any telecommunications service, and authority to execute a merger or transfer, and to providers required to register as toll resellers. Additional rules regulating telecommunications service providers and telephone utilities are contained in 4 CCR 723-2. Additional rules regulating providers of non optional operator services are contained in 4 CCR 723-18.~~

[Omitted Material: All the current rules found in 4 CCR 723-25, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO~~

~~COST ALLOCATION RULES FOR TELECOMMUNICATIONS
SERVICE PROVIDERS AND TELEPHONE UTILITIES~~

~~4 CODE OF COLORADO REGULATIONS (CCR) 723-27~~

~~RULE (4 CCR) 723-27-1. APPLICABILITY AND PURPOSE FOR RULES.
(4 CCR) 723-27-PART 1 RULES UNDER § 40-15-108, C.R.S.~~

~~PRESCRIBING COST ALLOCATION METHODS FOR SEGREGATION OF
INVESTMENTS AND EXPENSES OF TELECOMMUNICATIONS PROVIDERS~~

~~RULE (4 CCR) 723-27-2. DEFINITIONS.~~

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~~723-27-13.2 Transfer of Assets.~~

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~~RULE (4 CCR) 723-27-14. AFFILIATE TRANSACTIONS - INTEREXCHANGE
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~~4 CCR 723-27-PART 2 RULES PRESCRIBING THE STANDARD PROCEDURES
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~~RULE (4 CCR) 723-27-15. APPLICABILITY.~~

~~RULE 4 CCR 723-27-16. [RESERVED FOR FUTURE USE.]~~

~~RULE 4 CCR 723-27-17. [RESERVED FOR FUTURE USE.]~~

~~RULE 4 CCR 723-27-18. COLORADO INTRASTATE ACCESS COSTS SHALL BE
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~~RULE 4 CCR 723-27-19. [RESERVED FOR FUTURE USE.]~~

~~RULE 4 CCR 723-27-20. COLORADO INTRASTATE ACCESS CHARGE
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~~4 CCR 723-27-PART 3 WAIVERS FROM RULES AND INCORPORATION OF
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~~RULE (4 CCR) 723-27-21. WAIVER FROM RULES.~~

~~RULE (4 CCR) 723-27-22. INCORPORATION BY REFERENCE.~~

~~RULE (4 CCR) 723-27-1. APPLICABILITY AND PURPOSE FOR RULES.~~

~~723-27-1.1—These rules are applicable to all intrastate telecommunications service providers who provide both regulated and deregulated telecommunications services as permitted by law. Except as otherwise specifically provided, Rules 15 through 20 are applicable only to local exchange providers as defined in § 40-15-102(24.5), C.R.S., and who have opted to have their access charges regulated by the Commission in accordance with Part 2 of Article 15, Title 40, C.R.S. as stated in § 40-15-105(2), C.R.S. (hereafter referred to in these rules as "Rural Telecommunications Providers").~~

[Omitted Material: All the current rules found in 4 CCR 723-27, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~[4 CCR 723-28]~~

~~**RULES PRESCRIBING THE
 IMPLEMENTATION OF ARTICLE 17 of TITLE 40, C.R.S.
 TELECOMMUNICATIONS RELAY SERVICES FOR
 DISABLED TELEPHONE USERS**~~

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~~**RULES PRESCRIBING THE
 IMPLEMENTATION OF ARTICLE 17 of TITLE 40, C.R.S.
 TELECOMMUNICATIONS RELAY SERVICES FOR
 DISABLED TELEPHONE USERS**~~

~~**BASIS, PURPOSE, AND STATUTORY AUTHORITY**~~

~~The basis and purpose for these rules is to implement Article 17 of title 40, C.R.S., Telecommunications Relay Services for Disabled Users. These Rules are intended to conform with the applicable section of the Federal "Americans with Disabilities Act of 1990" 47 U.S.C. Sec. 225, thereby permitting the Federal certification of the Colorado dual party relay system. The Rules are consistent with the Commission's existing quality of service Rules (4 CCR 723-2). The Rules require relay providers to communicate each message promptly and accurately, to maintain the privacy of persons who use the relay service, and to ensure the confidentiality of all parties in~~

~~connection with a relayed message. The Rules specify the types of calls that are included as telecommunications relay services, and specifically requires that the costs of any long distance service or any other service that is not a basic local exchange service be borne by the disabled telephone user. The Rules prescribe the procedures for administering the Colorado Disabled Telephone Users Fund for telecommunications relay services for disabled telephone users.~~

~~The rules are clear and simple and can be understood by persons expected to comply with them. They do not conflict with any other provision of law and there are no duplicating or overlapping rules.~~

~~The statutory authority these Rules is newly enacted §§ 40-17-101 through 104 C.R.S. (H.B. 92-1071, Session Laws).~~

~~**RULE 1: DEFINITIONS**~~

~~As used in this rule, unless the context otherwise requires:~~

[Omitted Material: All the current rules found in 4 CCR 723-28, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO

RULES REGARDING
EMERGENCY 9-1-1 SERVICES FOR
EMERGENCY TELECOMMUNICATIONS SERVICE PROVIDERS,
BASIC LOCAL EXCHANGE CARRIERS~~

~~4 CODE OF COLORADO REGULATIONS (CCR) 723-29~~

~~**BASIS, PURPOSE AND STATUTORY AUTHORITY OF RULES.**~~

~~The statutory authority for these amendments is found in Sections 40-3-101(2), 40-3-102, 40-3-103, 40-3-106(1)(A) and 40-4-101, C.R.S. which empower the Commission to establish standards for the adequacy of public utility services, including Basic Local Exchange Service and regulated telecommunications services under which emergency 9-1-1 services are provisioned, and require the Commission to prescribe rules and regulations for the performance of any service or the furnishing of any commodity by a public utility and to enforce those rules and regulations. In addition, the Commission is authorized to promulgate rules generally by Section 40-2-108, C.R.S., and specifically for telecommunications services by §§ 40-15-201, 40-15-301, and 40-15-503(2) C.R.S., in order to implement the provisions of Title 40, Article 15, Part 2, 3, and 5 C.R.S. The Commission also is specifically authorized to promulgate rules to implement section 29-11-106, C.R.S., requiring disclosure of 9-1-1 dialing and calling capabilities of multi-line telephone systems. A violation of these rules by any person acting individually or as an officer, agent, or employee of a corporation other than a public utility may constitute a class 2 misdemeanor. § 40-7-108, C.R.S. A violation of these rules may subject a corporation other than a public utility to a penalty of not more than two thousand dollars. § 40-7-107, C.R.S.~~

~~The basis and purpose of these amendments is to update and revise certain rules within the Rules Prescribing the Provision of Emergency 9-1-1 Services for Emergency Telecommunications Service Providers, Basic Local Exchange Carriers to establish requirements for multi-line telephone system operators to disclose to their end users the proper method of dialing 9-1-1, and the capability of the multi-line telephone system to transmit the end user's telephone number and location identification; to reference interconnection between wireless providers, local exchange carriers and Basic Emergency Service Providers; update the incorporation by reference of National Emergency Number~~

~~Association (NENA) standards; permit use of 9-1-1 databases for outbound wide area notifications in time of emergency; revise reporting times of 9-1-1 outages and interruptions; recognize Enhanced 9-1-1 as a service regulated by §40-15-201; and explicitly recognize the potential for multiple Basic Emergency Service Providers within Colorado. Revision of these rules is necessary to reflect the present and continuing evolution of the Basic Emergency Service which is expected by the public and is influenced by changing technology and public and telecommunications industry needs.~~

~~The amendments to the rules are clear and simple and can be understood by persons expected to comply with them. They do not conflict with any other provision of law and there are no duplicating or overlapping rules. The rule amendments do not create any issues that have or may have an economic impact on small businesses.~~

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~~723-29-2.2 Service Descriptions.~~

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~~RULE (4 CCR) 723-29-4. UNIFORM SYSTEM OF ACCOUNTS AND COST SEGREGATION.~~

~~RULE (4 CCR) 723-29-5. BASIC EMERGENCY SERVICE PROVIDERS.~~

~~RULE (4 CCR) 723-29-6. ALI DATABASE PROVIDERS.~~

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~~RULE (4 CCR) 723-29-9. COIN PHONE PROVIDERS.~~

~~RULE (4 CCR) 723-29-10. DISCLOSURE OF 9-1-1 DIALING AND CALLING CAPABILITIES OF MULTI-LINE TELEPHONE SYSTEMS.~~

~~RULE (4 CCR) 723-29-11. NON-DISCLOSURE OF NAME/NUMBER/ADDRESS INFORMATION.~~

~~RULE (4 CCR) 723-29-12. PRIORITY SERVICE RESTORATION/DIVERSE ROUTING.~~

~~A 9-1-1 Contingency Plan might include:~~

~~RULE (4 CCR) 723-29-13. REPORTS.~~

~~RULE (4 CCR) 723-29-14. ADVISORY TASK FORCE.~~

~~RULE (4 CCR) 723-29-15. NENA DATA STANDARDS.~~

~~RULE (4 CCR) 723-29-16. WAIVERS.~~

~~RULE (4 CCR) 723-29-17. INCORPORATION BY REFERENCE.~~

~~RULE (4 CCR) 723-29-1. APPLICABILITY.~~

[Omitted Material: All the current rules found in 4 CCR 723-29, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO
RULES PRESCRIBING PRINCIPLES
FOR COSTING AND PRICING OF REGULATED SERVICES
OF TELECOMMUNICATIONS SERVICE PROVIDERS
4 CODE OF COLORADO REGULATIONS (CCR) 723-30~~

~~BASIS, PURPOSE, AND STATUTORY AUTHORITY~~

~~The basis and purpose for these rules are to standardize the determination of costs for pricing of regulated services of telecommunications service providers, other than competitive local exchange carriers, in the State of Colorado. The Colorado Public Utilities Commission (Commission) is entrusted with the regulation of rates and charges of all products and services offered by telecommunications providers under its jurisdiction. In the regulation of those rates and charges, the Commission has the responsibility to ensure that the rates and charges are just and reasonable (See § 40-3-101, C.R.S.).~~

~~The advent of competition into many telecommunications markets and the deregulation of products and services by either state or federal authorities have greatly complicated the Commission's responsibility to determine whether rates and charges of telecommunications services regulated by the Commission are just and reasonable. These rules provide specific guidelines for all telecommunications providers, other than competitive local exchange carriers, in the area of appropriate market and cost analyses which underlie just and reasonable rates.~~

~~These rules do not conflict with any other provision of law, and there are no duplicating or overlapping rules. In particular, these rules are not intended to affect or modify existing rules found at 4 CCR 723-24 (Part 3 rules) and 723-27 (Cost Allocation Rules). In the event of any inconsistency between these Costing and Pricing Rules and the Part 3 Rules or the Cost Allocation Rules, the latter shall apply.~~

~~The statutory authority for these rules is §§ 40-2-108, 40-3-101, and 40-3-110, C.R.S.~~

~~RULE (4 CCR) 723-30-1. APPLICABILITY.~~

[Omitted Material: All the current rules found in 4 CCR 723-30, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO
RULES ON LOCAL NUMBER PORTABILITY AND ADMINISTRATION
4 CODE OF COLORADO REGULATIONS (CCR) 723-34~~

~~**BASIS, PURPOSE AND STATUTORY AUTHORITY.**~~

~~— The basis and purpose of these rules are to provide regulations concerning local number portability so that end users can choose between authorized providers of basic local exchange services without changing their telephone number. These rules govern the creation of regulatory and technical mechanisms to establish local number portability (LNP) and provide for a number portability database network architecture.~~

~~— If end users are unable to retain their telephone numbers when changing telecommunications providers, these end users may be deterred from responding to service and price differences among competing providers because of the expense and inconvenience involved. Therefore, local number portability promotes competition between telecommunications service providers by eliminating or mitigating a barrier to entry.~~

~~— The rules are clear and simple and can be understood by persons expected to comply with them. They do not conflict with any other provision of law and there are no duplicating or overlapping rules.~~

~~— These rules are issued pursuant to Sections 40-2-108 and 40-15-503(2)(b)(II) C.R.S.~~

~~**RULE (4 CCR) 723-34-1. APPLICABILITY.**~~

~~— These rules shall apply to all facilities based providers of basic local exchange service.~~

[Omitted Material: All the current rules found in 4 CCR 723-34, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO
RULES REGULATING APPLICATIONS
BY LOCAL EXCHANGE TELECOMMUNICATIONS PROVIDERS
FOR SPECIFIC FORMS OF PRICE REGULATION AND BY EMERGING COMPETITIVE
TELECOMMUNICATIONS PROVIDERS FOR SPECIFIC FORMS OF RELAXED
REGULATION AND DEREGULATION
4 CODE OF COLORADO REGULATIONS (CCR) 723-38~~

~~BASIS, PURPOSE AND STATUTORY AUTHORITY.~~

~~— The basis and purpose of these rules is to establish regulations regarding applications for specific forms of price regulation for local exchange telecommunications services.~~

~~— These rules also establish procedures and standards applicable to decisions regarding the appropriate level and type of relaxed regulation, such as flexible pricing, detariffing, and other such manner and method of regulation that are consistent with the General Assembly's expression of intent stated in § 40-15-101, C.R.S., for services and products declared to be emerging competitive telecommunications services as defined in § 40-15-301(2) and § 40-15-305(2) C.R.S. The rules also establish procedures and standards applicable to decisions regarding applications for deregulation of services or products in accordance with § 40-15-305(1) C.R.S. Finally, the rules establish time schedules for the efficient disposition of applications filed in accordance with these rules.~~

~~— These rules are issued pursuant to §§ 40-2-108, 40-15-101, 40-15-203.5, 40-15-305 and 40-15-503, C.R.S.~~

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~~BASIS, PURPOSE AND STATUTORY AUTHORITY.~~

~~RULE (4 CCR) 723-38-1. APPLICABILITY.~~

~~RULE (4 CCR) 723-38-2. DEFINITIONS.~~

~~RULE (4 CCR) 723-38-3. SPECIFIC FORMS OF PRICE REGULATION.~~

~~RULE (4 CCR) 723-38-4. APPLICATION FOR SPECIFIC FORMS OF PRICE REGULATION - CONTENTS OF APPLICATION; CRITERIA.~~

~~RULE (4 CCR) 723-38-5. SEGREGATION OF ASSETS.~~

~~RULE (4 CCR) 723-38-6. REVISION OF TERMS OF APPROVED FORM OF PRICE REGULATION.~~

~~RULE (4 CCR) 723-38-7. PROCESSING OF APPLICATIONS FOR SPECIFIC FORMS OF PRICE REGULATION.~~

~~RULE (4 CCR) 723-38-8. GENERAL RULES CONCERNING APPLICATIONS FOR SPECIFIC FORMS OF RELAXED REGULATION AND DEREGULATION.~~

~~RULE (4 CCR) 723-38-9. RULES RELATING TO APPLICATIONS FOR SPECIFIC FORMS OF RELAXED REGULATION.~~

~~RULE (4 CCR) 723-38-10. RULES RELATING TO DEREGULATION.~~

~~RULE (4 CCR) 723-38-11. ADDITIONAL PROCEDURES.~~

~~RULE (4 CCR) 723-38-12. COMBINED APPLICATIONS.~~

~~RULE (4 CCR) 723-38-13. WAIVER OR VARIANCE.~~

~~RULE (4 CCR) 723-38-1. APPLICABILITY.~~

~~These rules are applicable to all persons who are applying for a specific form of price regulation for a specific local exchange telecommunications service, and to all persons applying for relaxed regulation and deregulation for a specific emerging competitive telecommunications service.~~

[Omitted Material: All the current rules found in 4 CCR 723-38, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO

RULES ON
INTERCONNECTION AND UNBUNDLING

4 CCR 723-39~~

~~BASIS, PURPOSE, AND STATUTORY AUTHORITY.~~

~~The basis and purpose of these rules is to prescribe the provision of nondiscriminatory access to, and interconnection with, the facilities of the telecommunications providers' networks to any other telecommunications provider offering or seeking to offer telecommunications products or services to the public. These rules also provide for the unbundling of certain telecommunications providers' networks. These rules provide an environment that will actively promote the competitive nature of the telecommunications industry, increase the affordability of telecommunications services, encourage technological advancements, and expand customer choices in the marketplace.~~

~~These rules are clear and simple. They can be understood by persons or entities expected to comply with them. They do not conflict with any other provision of law. There are no duplicating or overlapping rules.~~

~~These rules are issued pursuant to §§ 40-15-501, et seq. and 40-2-108, C.R.S.~~

~~RULE (4 CCR) 723-39-1. APPLICABILITY.~~

~~These rules are applicable to all certified telecommunications providers that provide telecommunications exchange service in the state of Colorado.~~

[Omitted Material: All the current rules found in 4 CCR 723-39, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO~~

~~RULES FOR THE RESALE
OF TELECOMMUNICATIONS EXCHANGE SERVICES~~

~~4 CCR 723-40~~

~~BASIS, PURPOSE, AND STATUTORY AUTHORITY.~~

~~The basis and purpose of these rules is to establish regulations regarding the resale of telecommunications exchange services. These rules ensure the non-discriminatory availability of services for resale in a manner that allows resellers to provide service to their end users in a way that enhances competition.~~

~~The rules are clear and simple and can be understood by persons expected to comply with them. They do not conflict with any other provision of law and there are no duplicating or overlapping rules.~~

~~These rules are issued pursuant to Sections 40-2-108, 40-15-108, 40-15-502 (5) (b), and 40-15-503 (2) (b) (IV) C.R.S.~~

~~RULE (4 CCR) 723-40-1. APPLICABILITY.~~

~~These rules are applicable to all certified telecommunications providers that provide telecommunications exchange service in the state of Colorado.~~

[Omitted Material: All the current rules found in 4 CCR 723-40, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO
RULES PRESCRIBING
THE HIGH COST SUPPORT MECHANISM
AND
PRESCRIBING THE PROCEDURES FOR
THE COLORADO HIGH COST ADMINISTRATION FUND
4 CODE OF COLORADO REGULATIONS (CCR) 723-41~~

~~**BASIS, PURPOSE AND STATUTORY AUTHORITY.**~~

~~These rules are issued under the general authority of §§ 40-2-108(2) C.R.S., § 40-3-102 C.R.S. and § 40-15-208 C.R.S. They establish the process to be used and the information required by the Commission to implement the provisions of § 40-15-208 C.R.S.~~

~~Pursuant to Sections 40-15-502 et seq. C.R.S., the General Assembly of the State of Colorado mandated that local exchange telecommunications markets be open to competition while maintaining the goal of affordable and just and reasonably priced basic service. To accomplish that goal the General Assembly directed the Commission to establish a system of universal service support mechanisms to be funded on a nondiscriminatory, competitively neutral basis.~~

~~On May 23, 2001 the Federal Communications Commission released its Fourteenth Report and Order, Twenty Second Order on Reconsideration and Further Notice of Proposed Rulemaking in CC Docket No. 96-45. In this Order the FCC modified its rules for providing high-cost universal service support to rural telephone companies for the next five years based upon the proposals made by the Rural Task Force established by the Federal State Joint Board on Universal Service. These rule are also intended to be consistent with the FCC's May 23, 2001 order. These amendments are necessary to ensure that eligible providers continue to receive support under the HCSM and that the Commission and its contractors are reimbursed for any expenses incurred.~~

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~~**BASIS, PURPOSE AND STATUTORY AUTHORITY.**~~

~~**RULE (4 CCR) 723-41-1. APPLICABILITY.**~~

~~**RULE (4 CCR) 723-41-2. DEFINITIONS.**~~

~~**RULE (4 CCR) 723-41-3. GENERAL.**~~

~~**RULE (4 CCR) 723-41-4. [RESERVED FOR FUTURE USE].**~~

~~**RULE (4 CCR) 723-41-5 SPECIFIC SERVICES AND FEATURES SUPPORTED BY THE HCSM.**~~

~~RULE (4 CCR) 723-41-6. AFFORDABLE PRICE STANDARD FOR BASIC SERVICE.~~

~~4 CCR 723-41-PART I~~

~~RULE (4 CCR) 723-41-7. CONTRIBUTORS; REPORTING REQUIREMENTS; RATE ELEMENT CALCULATION; APPLICATION OF RATE ELEMENT TO CUSTOMER BILLINGS; AND REMITTANCE OF CONTRIBUTIONS.~~

~~RULE (4 CCR) 723-41-8. ELIGIBILITY TO RECEIVE SUPPORT FROM THE COLORADO HIGH COST FUND.~~

~~RULE (4 CCR) 723-41-9. SUPPORT VIA THE HCSM.~~

~~RULE (4 CCR) 723-41-10. ADMINISTRATION.~~

~~RULE (4 CCR) 723-41-11. REVIEW OF THE HCSM.~~

~~RULE (4 CCR) 723-41-12. BASE RATE AREA SUBSIDIES.~~

~~RULE (4 CCR) 723-41-13. ENFORCEMENT.~~

~~RULE (4 CCR) 723-41-14. SOCIAL PROGRAMS.~~

~~RULE (4 CCR) 723-41-15. VARIANCE AND WAIVER.~~

~~RULE (4 CCR) 723-41-16. INCORPORATION BY REFERENCE.~~

~~4 CCR 723-41-PART II~~

~~RULE (4 CCR) 723-41-17. CALCULATION OF AVERAGE LOOP, LOCAL SWITCHING, AND EXCHANGE TRUNK COSTS FOR FUND SUPPORT FOR RURAL TELECOMMUNICATIONS SERVICE PROVIDERS.~~

~~RULE (4 CCR) 723-41-18. CALCULATION OF COLORADO HIGH COST FUND SUPPORT PER ACCESS LINE FOR INCUMBENT RURAL TELECOMMUNICATIONS SERVICE PROVIDERS.~~

~~RULE (4 CCR) 723-41-1. APPLICABILITY.~~

~~These rules and regulations govern the operation of the Colorado High Cost Support Mechanism ("HCSM") and the Colorado High Cost Administration Fund and shall apply to all providers of intrastate telecommunications services.~~

[Omitted Material: All the current rules found in 4 CCR 723-41, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO
RULES PRESCRIBING THE PROCEDURES
FOR DESIGNATING TELECOMMUNICATIONS SERVICE PROVIDERS
AS PROVIDERS OF LAST RESORT
OR AS AN
ELIGIBLE TELECOMMUNICATIONS CARRIER
4 CODE OF COLORADO REGULATIONS (CCR) 723-42~~

~~BASIS, PURPOSE, AND STATUTORY AUTHORITY.~~

~~The basis and purpose of these rules is to establish regulations concerning the designation of providers of last resort and the obligations that attach to such a designation. These rules also establish regulations concerning the designation of providers eligible to receive federal universal service assistance.~~

~~These rules are clear and simple and can be understood by persons expected to comply with them. They do not conflict with any other provision of law. There are no duplicating or overlapping rules.~~

~~The Commission is authorized to promulgate rules generally by Section 40-2-108, C.R.S., and specifically for telecommunications services by Sections 40-15-201 and 40-15-301. Statutory authority for promulgating these rules is further found in Section 40-15-502(6), C.R.S. These Rules are consistent with 47 U.S.C. 254 and with 47 C.F.R., Part 54.~~

~~On May 23, 2001 the Federal Communications Commission released its Fourteenth Report and Order, Twenty-Second Order on Reconsideration and Further Notice of Proposed Rulemaking in CC Docket No. 96-45. In this Order the FCC modified its rules (Part 54) for providing high cost universal service support to rural telephone companies for the following five years based upon the proposals made by the Rural Task Force established by the Federal State Joint Board on Universal Service. These rules are necessary to ensure that eligible telecommunication carriers continue to receive support under the federal universal service program.~~

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~~BASIS, PURPOSE, AND STATUTORY AUTHORITY.~~

~~RULE (4 CCR) 723-42-1. APPLICABILITY.~~

~~RULE (4 CCR) 723-42-2. DEFINITIONS.~~

~~RULE (4 CCR) 723-42-3. DESIGNATION OF PROVIDERS OF LAST RESORT.~~

~~RULE (4 CCR) 723-42-4. APPLICATION FOR DESIGNATION AS AN
ADDITIONAL PROVIDER OF LAST RESORT.~~

~~RULE (4 CCR) 723-42-5. OBLIGATIONS OF PROVIDERS OF LAST RESORT.~~

~~RULE (4 CCR) 723-42-6. REMOVAL OF PROVIDER OF LAST RESORT DESIGNATION.~~

~~RULE (4 CCR) 723-42-7. ELIGIBLE TELECOMMUNICATIONS CARRIER (ETC) DESIGNATION.~~

~~RULE (4 CCR) 723-42-8. RELINQUISHMENT OF ETC DESIGNATION.~~

~~RULE (4 CCR) 723-42-9. COMBINED APPLICATIONS.~~

~~RULE (4 CCR) 723-42-10. DISAGGREGATION AND TARGETING OF SUPPORT BY RURAL INCUMBENT LOCAL EXCHANGE CARRIERS.~~

~~RULE (4 CCR) 723-42-11. USES OF DISAGGREGATION PATHS.~~

~~RULE (4 CCR) 723-42-12. VARIANCE AND WAIVER.~~

~~RULE (4 CCR) 723-42-13. INCORPORATION BY REFERENCE.~~

~~RULE (4 CCR) 723-42-1. APPLICABILITY.~~

[Omitted Material: All the current rules found in 4 CCR 723-42, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO~~

~~RULES REGARDING QUALITY OF
TELECOMMUNICATIONS SERVICES AND FACILITIES
OFFERED BY INCUMBENT TELECOMMUNICATIONS PROVIDERS
TO COMPETING TELECOMMUNICATIONS PROVIDERS~~

~~4 CODE OF COLORADO REGULATIONS (CCR) 723-43~~

~~BASIS, PURPOSE, AND STATUTORY AUTHORITY.~~

~~The statutory authority for these rules is found in Sections 40-3-101(2), 40-3-102, 40-3-103, 40-3-106(1)(a), 40-3-107, 40-3-110, and 40-4-101, C.R.S. which empower the Commission to establish standards for the adequacy of public utility services, including the timely provisioning of adequate telephone service and regulated telecommunications services, and require the Commission to prescribe rules and regulations for the performance of any service or the furnishing of any commodity by a public utility, to enforce those rules and regulations as well as to require any necessary reporting of said performance. The Commission is also authorized to promulgate rules generally by Section 40-2-108, C.R.S., and specifically for telecommunications services by §§ 40-15-201, 40-15-302, and 40-15-503(2) C.R.S., in order to implement the provisions of Title 40, Article 15, Parts 2, 3, and 5, C.R.S.~~

~~In addition, the Telecommunications Act of 1996, codified at 47 U.S.C. § 151 et seq., (the "Act") requires incumbent Local Exchange Companies ("incumbent telecommunication providers") to provide service to a competitive local exchange company ("competing telecommunication providers") that is at least equal in quality to that provided by the incumbent local exchange carrier to itself or any competing carrier. See Section 252(e)(2) of the Act. The Federal Communications Commission ("FCC") amplified on the responsibilities of incumbent telecommunication providers to provide such service and of the States to oversee such requirements under the Act. See FCC Order in CC Docket 96-98 at ¶¶ 25, 101, 133-137, 224, 225, 310, 523, 970.[±] As further noted by the FCC, reporting mechanisms are~~

[±] See *In the Matter of Implementation of the Local Competition Provisions in the Telecommunications Act of 1996; Interconnection Between Local Exchange Carriers and Commercial Mobile Radio Service Providers*, CC

~~necessary to establish, track and enforce incumbent telecommunications provider's provision of non-discriminatory service. See FCC Order in CC Docket 96-98 at ¶ 311 and FCC Order in CC Docket 96-149 at ¶¶ 242, 243; Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as Amended, First Report and Order, CC Docket No. 96-149 (December 24, 1996).~~

~~In § 252 (e)(3) the Act specifically states:~~

~~[N]othing in this section shall prohibit a State commission from establishing or enforcing other requirements of State law in its review of an agreement, including requiring compliance with intrastate telecommunications service quality standards or requirements. . . .~~

~~The Act acknowledges and anticipates that State commissions will promulgate service quality standards and measurements to further their requirements. The FCC has similarly encouraged State commissions to adopt rules regulating the timing of and conditions surrounding the provision of unbundled network elements ("UNE"). Order, ¶¶ 135, 310-311.²~~

~~The basis and purpose of these regulations is to require: 1) monitoring and statistical testing of service quality measurements for performance parity between the service provided by the incumbent telecommunications provider to competing telecommunications providers and service provided by the incumbent telecommunications provider to its other customers; 2) minimum standards that all incumbent telecommunications providers must meet when providing products or services to competing telecommunications providers; 3) reporting of statistical testing results and reporting to demonstrate actual performance in comparison to the minimum standards; and 4) financial credits to competing telecommunications providers to ensure that incumbent telecommunications providers are meeting their minimum performance obligations so that an adequate and timely level of basic telephone service and regulated telecommunications service can be provided to the public. These provisions will assist the Commission in implementing the competitive mandates of the Act as well as §§ 40-15-501, C.R.S. et seq. These rules are necessary to reflect the present and continuing evolution of a competitive telecommunications market which is expected by the public. These rules are issued pursuant to §§ 40-15-501, et seq. and 40-2-108, C.R.S.~~

~~Docket Nos. 96-98 & 95-185, First Report and Order (released August 8, 1996) ("First Report and Order").~~

² ~~First Report and Order, CC Docket No. 96-98.~~

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~~BASIS, PURPOSE, AND STATUTORY AUTHORITY.~~

~~RULE (4 CCR) 723-43-1. APPLICABILITY.~~

~~RULE (4 CCR) 723-43-2. EXPIRATION DATE.~~

~~RULE (4 CCR) 723-43-3. DEFINITIONS.~~

~~RULE (4 CCR) 723-43-4. GENERAL REQUIREMENTS.~~

~~RULE (4 CCR) 723-43-5. SERVICE QUALITY MEASUREMENTS.~~

~~723-43-5.1 Order Processing Procedures~~

~~723-43-5.2 Ordering Accuracy~~

~~723-43-5.3 Order Completion~~

~~723-43-5.4 Order Installation Coordination~~

~~723-43-5.5 Order Timeliness~~

~~723-43-5.6 Maintenance and Repair~~

~~723-43-5.7 Billing~~

~~723-43-5.8 General Network Requirements~~

~~723-43-5.9 Operator Services and Directory Assistance~~

~~723-43-5.10 Network Performance~~

~~723-43-5.11 Collocation Provisioning~~

~~RULE (4 CCR) 723-43-6. MINIMUM PERFORMANCE STANDARDS.~~

~~723-43-6.1 Specific Requirements for Order Completion Intervals.~~

~~723-43-6.2 Specific Requirements for Trouble Report Repair Intervals.~~

~~723-43-6.3 Specific Requirements for Electronic Response to Pre-Order Query Interval.~~

~~RULE (4 CCR) 723-43-7. STATISTICAL ANALYSIS REQUIREMENTS AND INTERPRETATION.~~

~~RULE (4 CCR) 723-43-8. REPORTING REQUIREMENTS.~~

~~RULE (4 CCR) 723-43-9. NOTIFICATION AND STATUS REPORTING REQUIREMENTS.~~

~~RULE (4 CCR) 723-43-10. PER OCCURRENCE CREDITS.~~

~~723-43-10.1 Service Order Provisioning Commitment Missed.~~

~~RULE (4 CCR) 723-43-1. APPLICABILITY.~~

~~The standards within these rules apply to the offering of interconnection, resale and unbundled network elements by incumbent telecommunications providers as defined in 4 CCR 723-39-2.10 (Rules on Interconnection and Unbundling).~~

[Omitted Material: All the current rules found in 4 CCR 723-43, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO
RULES ESTABLISHING PROCEDURES RELATING TO
THE SUBMISSION FOR APPROVAL
OF INTERCONNECTION AGREEMENTS, AND ANY AMENDMENTS TO
INTERCONNECTION AGREEMENTS WITHIN
COLORADO BY TELECOMMUNICATIONS CARRIERS
4 CODE OF COLORADO REGULATIONS (CCR) 723-44~~

~~**BASIS, PURPOSE, AND STATUTORY AUTHORITY**~~

~~These rules are issued under the general authority of §§ 40-2-108 and 40-3-102 C.R.S., and are consistent with § 40-15-503 C.R.S. and 47 U.S.C. 252(a)(1). They establish the process to be used and the information required by the Commission to review an interconnection agreement, and any amendments submitted to the Commission for approval in accordance with 47 U.S.C. 252(a)(1), requiring that any interconnection agreement negotiated between telecommunications carriers pursuant to the Telecommunications Act of 1996, be submitted to the State commission for consideration under 47 U.S.C. 252(e). The Commission is to act either to approve or to reject: a) a negotiated interconnection agreement, with written findings as to any deficiencies, within ninety (90) days after receipt of the submittal, and b) an arbitrated agreement within thirty (30) days after receipt of the submittal.~~

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~~**BASIS, PURPOSE, AND STATUTORY AUTHORITY**~~

~~**RULE (4 CCR) 723-44-1. APPLICABILITY.**~~

~~**RULE (4 CCR) 723-44-2. DEFINITIONS.**~~

~~**RULE (4 CCR) 723-44-3. REQUIREMENT TO NOTIFY COMMISSION OF A "REQUEST TO NEGOTIATE".**~~

~~**RULE (4 CCR) 723-44-4. REQUIREMENT TO SUBMIT AGREEMENT, AND ANY AMENDMENTS FOR APPROVAL.**~~

~~**RULE (4 CCR) 723-44-5. INFORMATION TO BE INCLUDED IN THE APPLICATION OR MOTION FOR APPROVAL OF AN AMENDMENT.**~~

~~723-44-5.3 Supporting Information.~~

~~723-44-5.6.3 Public Comment.~~

~~723-44-5.6.4 Intervention.~~

~~723-44-5.7 Review Process.~~

~~723-44-5.7.2 Grounds for Rejection:~~

~~**RULE (4 CCR) 723-44-6. REPORT OF ADOPTION.**~~

~~723-44-6.1.1. Identifying Information.~~

~~723-44-6.4 Effective Date of Previously Approved Agreement, SGAT, or Amendment.~~

~~723-44-6.5 Notice to the Public and Opportunity for Public Comment.~~

~~723-44-6.5.2 Additional Notice Requirements.~~

~~RULE (4 CCR) 723-44-7. EXPEDITED PROCEDURES FOR ADOPTION OF PREVIOUSLY APPROVED SGATS, AGREEMENTS AND AMENDMENTS.~~

~~RULE (4 CCR) 723-44-8. CONFIDENTIALITY OF INFORMATION.~~

~~RULE (4 CCR) 723-44-9. CONSOLIDATION OF STATE PROCEEDINGS.~~

~~RULE (4 CCR) 723-44-10. PUBLIC FILING REQUIRED.~~

~~RULE (4 CCR) 723-44-11. WAIVER OF RULES.~~

~~RULE (4 CCR) 723-44-12. INCORPORATION BY REFERENCE.~~

~~RULE (4 CCR) 723-44-1. APPLICABILITY.~~

~~Pursuant to 47 U.S.C. 252(a)(1), these rules apply to all agreements, and any amendments thereto, for interconnection, services, or network elements between Incumbent Local Exchange Carriers and Telecommunications Carriers negotiated before or after February 8, 1996, the date of enactment of the Telecommunications Act of 1996. Pursuant to 47 U.S.C. 252(e)(1), any interconnection agreements adopted by negotiation or arbitration shall be submitted for approval to the Public Utilities Commission.~~

[Omitted Material: All the current rules found in 4 CCR 723-44, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO~~

~~RULES ESTABLISHING PROCEDURES
RELATING TO A REQUEST FOR PARTICIPATION OF THE COMMISSION
IN THE NEGOTIATION AND MEDIATION
OF INTERCONNECTION AGREEMENTS WITHIN COLORADO
BETWEEN TELECOMMUNICATIONS CARRIERS~~

~~4 CCR 723-45~~

~~**BASIS, PURPOSE, AND STATUTORY AUTHORITY** These rules are issued under the authority of §§ 40-2-108 and 40-15-404 C.R.S., and are consistent with § 40-15-503 C.R.S., 47 U.S.C. 251 and 47 U.S.C. 252(a)(2). The rules establish the process to be used and the information required by the Commission when an entity negotiating an agreement for interconnection, services or network elements requests the Commission to participate in the negotiation and to mediate any differences arising in the course of the negotiation.~~

~~**RULE 4 (CCR) 723-45-1. APPLICABILITY.** These rules apply to any negotiation of an agreement for interconnection, services, or network elements relating to telecommunications services in the State of Colorado in which one Party to the Negotiations has requested Commission participation in and mediation of the negotiations.~~

[Omitted Material: All the current rules found in 4 CCR 723-45, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO~~

~~RULES ESTABLISHING PROCEDURES RELATING TO
PETITIONS FOR THE COMMISSION TO ARBITRATE ISSUES
IN NEGOTIATIONS BETWEEN
TELECOMMUNICATIONS PROVIDERS
—WITHIN COLORADO~~

~~4 CCR 723-46~~

~~**BASIS, PURPOSE, AND STATUTORY AUTHORITY.** These rules are issued under the general authority of §§ 40-2-108 and 40-3-102 C.R.S., and are consistent with 47 U.S.C. § 252(b) and § 40-15-503 C.R.S. They establish the process to be used and the information required by the Commission when a party negotiating an agreement for interconnection, services, or network elements files a petition requesting the Commission to arbitrate any open issues arising in the course of the negotiation under 47 U.S.C. § 252. These rules are intended to comply with those requirements set forth in 47 U.S.C. § 252(e)(1) and with the procedures established in 4 CCR 723-44.~~

~~**RULE (4 CCR) 723-46-1. APPLICABILITY.** Pursuant to 47 U.S.C. 252(b), these rules apply to any petition filed by any party to the negotiation of an agreement for interconnection, services, or network elements under 47 U.S.C. § 251 and 47 U.S.C. § 252, requesting the Commission to arbitrate any open issues in the negotiations. These rules apply only to petitions filed during the period from the 135th to the 160th day (inclusive) after the date on which an incumbent local exchange carrier receives a request for negotiation under 47 U.S.C. § 251 and 47 U.S.C. § 252.~~

[Omitted Material: All the current rules found in 4 CCR 723-46, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO
RULES ESTABLISHING THE DISCOUNT RATE
TO BE APPLIED TO ELIGIBLE INTRASTATE SERVICES
PURCHASED BY ELIGIBLE COLORADO SCHOOLS AND LIBRARIES
4 CCR 723-48~~

~~BASIS, PURPOSE AND STATUTORY AUTHORITY.~~

~~— The basis and purpose of these rules is to establish the discount for eligible intrastate services available to Colorado schools and libraries as authorized under 47 U.S.C. § 254(h). The discount is intended to further the goal of ensuring that basic and advanced telecommunications services shall be available and affordable to all persons in the State of Colorado. The discount allows providers to be fully reimbursed for the difference between the reasonable price for providing service and the discounted price for such service to schools and libraries.~~

~~— These Rules are clear and simple and can be understood by persons expected to comply with them. They do not conflict with any other provision of law. There are no duplicating or overlapping rules.~~

~~— The Commission is authorized to promulgate rules under § 40-2-108, C.R.S., and to determine the appropriate discount for intrastate telecommunications services as directed in 47 U.S.C. § 254(h)(1)(B).~~

~~RULE (4 CCR) 723-48-1. APPLICABILITY.~~

~~The discounts contained in these Rules shall apply to the rates of all eligible intrastate services.~~

[Omitted Material: All the current rules found in 4 CCR 723-48, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO
RULES REGARDING THE EFFICIENT USE
OF TELEPHONE NUMBERS
4 CODE OF COLORADO REGULATIONS (CCR) 723-49~~

~~BASIS, PURPOSE AND STATUTORY AUTHORITY~~

~~— The basis and purpose of this rule is to facilitate the efficient use of telephone numbers by imposing self regulation with respect to the assignment of telephone numbers. Specifically, the rules provide for the efficient use of telephone numbers in all Colorado numbering plan areas to allow for the future sharing of telephone numbers between telecommunications service providers, i.e., number pooling. Number pooling has been recognized by the North American Numbering Council and the Colorado Public Utilities Commission as being in the public interest. Number pooling will permit more efficient assignment of telephone numbers within a numbering plan area. In order to gain the benefits of number pooling in the future, it is imperative that the Commission require all central office code holders to manage telephone numbers to allow for future reclamation of unused numbers.~~

~~— The statutory authority for the Commission's rulemaking authority is found at § 40-2-108, C.R.S. The statutory authority for numbering administration is found at § 40-15-503(2)(b)(II), C.R.S., and 47 U.S.C. § 251 (e)(1). The implementation of the federal statute is found at 47 C.F.R. Part 52.19.~~

~~RULE (4 CCR) 723-49-1. APPLICABILITY.~~

~~These rules are applicable to all persons, including providers of telecommunications services, who have accepted assignment of and make use of central office codes in Numbering Plan Areas assigned to Colorado, who accept assignment of and make use of initial central office codes in Numbering Plan Areas assigned to Colorado during the effectiveness of this Rule, or who assign telephone numbers in any Numbering Plan Area assigned to Colorado.~~

[Omitted Material: All the current rules found in 4 CCR 723-49, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

**~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO
RULES CONCERNING REGULATION BY THE COMMISSION
OF RURAL LOCAL EXCHANGE PROVIDERS
SUBJECT TO SIMPLIFIED REGULATORY TREATMENT
4 CODE OF COLORADO REGULATIONS (CCR) 723-52~~**

~~BASIS, PURPOSE AND STATUTORY AUTHORITY~~

~~The basis and purpose of these rules is to establish regulations by which the Commission shall regulate rural local exchange providers of telecommunications services that are subject to simplified regulatory treatment pursuant to Section 40-15-203.5, C.R.S.~~

~~These rules are issued pursuant to Sections 40-2-108, 40-15-201, 40-15-203.5, 40-15-302, 40-15-501(2)(a) and (b) 40-15-503(2)(d), C.R.S.~~

~~RULE (4 CCR) 723-52-1. APPLICABILITY.~~

~~These rules are applicable to all rural telecommunications providers as defined in § 40-15-102(24.5), C.R.S. and rule 723-52-2.9.~~

[Omitted Material: All the current rules found in 4 CCR 723-52, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]

~~THE
PUBLIC UTILITIES COMMISSION
OF THE
STATE OF COLORADO
RULES ESTABLISHING RURAL TECHNOLOGY ENTERPRISE ZONES, QUALIFYING
INFRASTRUCTURE INVESTMENT, AND TAX CREDITS
FOR IMPROVEMENT OF INTERNET ACCESS IN RURAL COLORADO
4 CODE OF COLORADO REGULATIONS (CCR) 723-53~~

~~BASIS, PURPOSE AND STATUTORY AUTHORITY.~~

~~The basis and purpose of these rules is to establish procedures relating to the creation of Rural Technology Enterprise Zones (RTEZ) and the associated Internet access infrastructure technology qualifying for RTEZ income tax credit as established under §39-32-105, C.R.S. It is intended that these rules promote investment in transmission infrastructure that allows for improved Internet and/or Internet type access in Colorado's rural areas. These rules are issued pursuant to §39-32-105 and §40-2-108, C.R.S.~~

~~BASIS, PURPOSE AND STATUTORY AUTHORITY.~~

~~RULE (4 CCR) 723-53-1. APPLICABILITY.~~

~~RULE (4 CCR) 723-53-2. DEFINITIONS.~~

~~RULE (4 CCR) 723-53-3. DESIGNATION OF RURAL TECHNOLOGY ENTERPRISE ZONE (RTEZ).~~

~~RULE (4 CCR) 723-53-4. DESIGNATION OF QUALIFYING INTERNET ACCESS INFRASTRUCTURE TECHNOLOGY INVESTMENTS AND PERCENTAGE OF INVESTMENT TOWARDS CREDIT.~~

~~RULE (4 CCR) 723-53-5. REQUEST GUIDELINES.~~

~~723-53-5.1 § 39-32-105, C.R.S. Guidelines.~~

~~723-53-5.2 Commission Guidelines.~~

~~RULE (4 CCR) 723-53-6. COMMISSION RTEZ CERTIFICATION FORM.~~

~~RULE (4 CCR) 723-53-7. VARIANCE AND WAIVER.~~

~~RULE (4 CCR) 723-53-1. APPLICABILITY.~~

~~These rules are applicable to all persons who provide qualifying infrastructure for Internet and/or Internet type access in designated rural areas of Colorado. These rules are effective for income tax years beginning on or after January 1, 1999 and ending January 2005.~~

[Omitted Material: All the current rules found in 4 CCR 723-53, are proposed to be repealed and reenacted. Therefore, all the remaining pages of the current rules are omitted.]