Appendix A Docket No. 03S-315T Decision No. R03-1466 December 31, 2003 Page 1 of 20

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE: THE INVESTIGATION AND SUSPENSI	ON)	
OF TARIFF SHEETS FILED BY PHILLIPS)	Docket No. 03S-315T
COUNTY TELEPHONE COMPANY WITH)	
ADVICE LETTER NO. 61.)	

STIPULATION AND SETTLEMENT AGREEMENT

This Stipulation and Settlement Agreement ("Agreement") is entered into by and between Phillips County Telephone Company ("PCTC"), Staff of the Public Utilities Commission ("Staff"), and the Colorado Office of Consumer Counsel ("OCC"). PCTC, Staff and OCC are referred to herein collectively as the "Parties" and individually as a "Party." This Agreement sets forth the terms and conditions by which the Parties have agreed to resolve all issues that have or could have been contested in this Docket The Parties jointly state as follows:

Introduction

1. On June 30, 2003, PCTC filed Advice Letter No. 61 with accompanying tariffs. In its filing, PCTC sought authority, pursuant to the Commission's Rules Prescribing the High Cost Support Mechanism (HCSM) and Prescribing the Procedures for the Colorado High Cost Administration Fund, 4 CCR 723-41 (HCSM Rules), to increase certain switched access rates and to reduce others, and to secure support from the HCSM. The filing was made to comply with Commission Rule 18.6.1.1, which requires companies requesting HCSM support to make a filing with proper support. The tariffs

accompanying Advice Letter No. 61 were suspended by the Commission on July 28, 2003 per Decision No. C03-0806 in Docket No. 03S-315T.

- 2. By Decision No. C03-0806, referenced above, the Commission suspended the effective date of the PCTC tariffs for 120 days until December 1, 2003 and set the matter for hearing on November 21, 2003. Staff and the OCC timely filed notices of intervention.
- 3. On September 22, 2003, PCTC filed the direct testimony and exhibits of Kevin J. Kelly in support of its proposed access rate increase and the company's HCSM funding request. In the Kelly testimony, the financial exhibits filed with Advice Letter NO. 61 are adopted as a supplement to his testimony.
- 4. Subsequently, on November 3, 2003, Staff filed the Answer Testimony and Exhibits of Karlton R. Kunzie and John P. Trogonoski. Among other things, the Staff testimony suggested certain adjustments to the filing, including to PCTC's expenses for certain tax deductions, for cash working capital, to its weighted cost of capital, and to the company's return on rate base. The Staff testimony proposed that PCTC be entitled to a return on rate base of 5.65% because of it cooperative status. Staff determined that intrastate network access service revenues should be allowed to increase by \$28,842, and the PCTC should be eligible to receive \$22,147 annually from the HCSM. However, since the Separations Study model also indicated that PCTC needed to lower local revenues by \$86,295, Staff contended that, according to § 40-15-208 2(a), C.R.S., the cooperative is ineligible to receive any HCSM funds.

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Docket No. 03S-315T
Decision No. R03-1466
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- Also on November 3, 2003, the Answer Testimony and Exhibits of Patricia Parker were filed on behalf of the OCC. Ms. Parker argued that PCTC does not qualify to receive HCSM support under applicable Commission rules; that there is error in the company's cost of service calculations in that the Company's regulated services are subsidizing some of its deregulated services; that the PCTC return on equity and hypothetical debt should be pegged at 5.75% and 5.5% and its hypothetical capital structure should be composed of 50% equity and 50% debt. Ms. Parker relied on Mr. Trogonoski's cost of equity analysis. She concluded that PCTC is not entitled to HCSM support and that its switched access rates should be calculated in accordance with her revised recommendations.
- 6. On November 13, 2003, PCTC filed the Rebuttal Testimony of Kevin J. Kelly, James B. Dean and Dr. James Vander Weide. Mr. Kelly's rebuttal points out that the Staff and OCC recommendations against PCTC's entitlement to HCSM support are entirely reliant on Mr. Trogonoski's cost of capital calculation. He attacked the basis for the Trogonoski and Parker analyses. Mr. Dean's testimony contravenes the "not for profit" analysis attributable to cooperatives contained in the Trogonoski Answer Testimony. Mr. Dean analyzes the cooperative company business model, capital credit arrangements, and the necessity for cost containment and pricing decisions in a cooperative organization that apply as in any commercial context. Dr. James Vander Weide rebuts the Trogonoski cost of capital analysis, and provides an independent appraisal of PCTC's cost of capital. He concludes that PCTC's requested 10.84% overall

cost of capital is conservative in that his analysis demonstrates that cost of capital to be 11.35%.

- 7. On November 24, 2003, Commission Decision No. C03-1312 further suspended the effective dates of the tariffs filed in Advice Letter No. 61 for an additional 90 days from December 1, 2003.
- 8. On November 24, 2003, in Decision No. R03-1313-I ALJ Isley issued the Interim Order granting the Motion to Vacate Procedural Schedule and Setting Hearing on Stipulation. The parties were to file with the Commission the desired settlement agreement on or before December 10, 2003. The hearing in connection with any settlement agreement filed is scheduled for December 18, 2003, at 9:00 a.m. in the Commission Hearing Room.
- 9. Subsequent to the filing of PCTC's rebuttal testimonies, the parties met in settlement discussions, exchanged proposals and counter-proposals and agreed upon a stipulated resolution to the PCTC filing.
- 10. The following terms and conditions set forth the Parties' agreement in resolution of this proceeding.

Settlement Agreement Terms

1. Cost of Capital, Capital Structure, USF Calculation, and Return on Equity.

The Parties disagreed concerning a number of issues pertaining to the calculation of an appropriate rate of return for PCTC and an appropriate capital structure as the same relate to the calculation of the appropriate amount of HCSM support to be provided. For purposes of this settlement only, subject to all of the conditions set out below including

those concerning the nonprecedential effect of the terms of this agreement, to avoid the cost and uncertainty of litigation of the issues in dispute, and with the acknowledgment that PCTC contested here and would contest in future proceedings the agreements reached in this paragraph, the Parties agree as follows: (a) the imputed capital structure is a 40/60 debt to equity ratio; (b) the return on equity is 9.5%; (c) the weighted cost of capital is 7.9%; and (d) the PCTC revenue requirement is \$1,028,725.

- 2. FAS 150. Subsequent to filing testimony, Staff became aware of a recent pronouncement by the Financial Accounting Standards Board (FASB). FAS 150 could materially effect how cooperatives account for patronage capital because it would require classification of patronage capital as debt rather than equity. Staff believes this reclassification of patronage capital would have a significant impact on the authorized rate of return for cooperatives. However, FASB has delayed implementation of FAS 150 until December 2004 to allow further comment and deliberation. In light of the uncertain status of FAS 150, Staff compromised its initial position for the purposes of settlement. The Parties agree that the stipulated rate of return falls within a range of reasonableness and balances the interests of the Parties.
- 3. HCSM Support Amount. For purposes of this settlement, the Parties agree that PCTC's request for HCSM funding is governed by § 40-15-208, C.R.S. and the Commission's HCSM Rules. The Parties agree that PCTC has provided proper support for an increase in HCSM funding for high loop costs and high local switching costs consistent with Rule 4 CCR 723-41-18.1 and 18.2. The Parties further agree that based upon the provisions of paragraph 1 above, PCTC shall be entitled to HCSM support in

the full amount of \$260 annually. This HCSM support amount is in the public interest and should be permitted to go into effect.

- 4. <u>Switched Access Rates.</u> PCTC's switched access rates shall be increased as the same are described and supported in the schedules attached hereto as **Exhibit A**. The total amount of such increase is \$85,545. As recommended in the testimony of Mr. Kunzie, after approval of this Agreement, PCTC will file an Amended Advice Letter No. 61 with updated tariff sheets, updated access rates and with a new effective date in the form of a compliance filing to be filed on one day's notice. These switched access rate increases are in the public interest and should be permitted to go into effect. The *pro forma* tariffs are appended hereto and incorporated by reference as Exhibit A.
- 5. Schedule Reflecting the Agreement of the Parties. Attached hereto as Exhibit A is a schedule prepared by Staff witness Karl Kunzie, and modified by Mr. Kunzie to reflect the terms and conditions of the Parties' agreement regarding the entitlement of PCTC to HCSM funding support and to increased switched access rates.
- 6. Other Adjustments. Subsequent to the filing of his testimony, Mr. Kunzie discovered that \$10,000 in *pro forma* rate case expense was not included in the Separations Study model and that \$23,112 in uncollectible revenues was incorrectly eliminated. The Parties agree that any other proposed adjustments to the PCTC filing made in their respective testimonies or otherwise, which are not addressed in this settlement agreement are conceded or waived for the purpose of securing settlement.
- 7. <u>Implementation of Agreement</u>. To implement the agreed upon tariffs, the Parties request that the Commission authorize PCTC to file tariff sheets identical in form

to the *pro forma* tariff sheets contained in Exhibit A, which are attached hereto and made a part hereof by this reference, with the applicable references to the Commission's anticipated decision in this docket inserted in the spaces provided, on not less than one day's notice.

Additional Miscellaenous Settlement Terms

- 8. This Agreement has been entered into solely to resolve issues in this proceeding involving the Parties. Therefore, the issues and matters resolved by this Agreement apply only to this docket and the issues raised herein. Notwithstanding the resolution of the issues set forth in this Agreement, no methodology or principle contained herein shall be deemed or construed as a settled practice or of precedential value for the purposes of any other proceeding. No Party shall be deemed or construed to have agreed to any principle or methodology by entering into this Agreement, other than for the purpose of settling this docket without further litigation. The Parties reserve the right to advocate positions different from those stated in this Agreement in the future. Nothing herein shall constitute a waiver by any Party with respect to any matter not specifically addressed in this Agreement.
- 9. The Parties acknowledge that this Agreement is just and reasonable, reasonably balances the interests of the Parties and is in the public interest. In addition, the Parties submit that reaching the Agreement set forth herein by means of a negotiated settlement, rather than through a formal adversarial process, is also in the public interest.
- 10. The Parties acknowledge that this Agreement represents a compromise of the positions each would assert if the issues resolved herein were litigated. Accordingly,

evidence of conduct or statements made in negotiations and discussions in connection with this Agreement shall not be admissible in any proceeding. The Parties further agree that nothing contained in this Agreement shall constitute any precedent, admission, concession, acknowledgment or agreement that may be used by or against the Parties in any subsequent proceedings before the Commission or otherwise.

- 11. The Parties agree to present, to support and to defend, this Agreement before the Commission and urge the Commission to approve the same, without modification. The Parties agree, if necessary, to present testimony and exhibits to the Commission to secure the approval of this Agreement.
- 12. This Agreement is an integrated whole. To the extent that any individual term is later determined to be unlawful or administratively unenforceable, this entire Agreement shall be declared null and void and of no further effect.
- Commission order approving this Agreement, which order does not contain any modification of the terms and conditions of this Agreement that is unacceptable to any Party hereto. In the event that the Commission imposes modified terms or conditions that are unacceptable to any Party hereto, then this Agreement shall be considered null and void and of no force and effect in this or any other proceeding. Notice of unacceptability shall be provided to the Commission and the other Parties to this Agreement in writing within ten (10) days of the date of the Commission order. In the event that this Agreement is not approved, the settlement terms and conditions, as well as the

Appendix A Docket No. 03S-315T Decision No. R03-1466 December 31, 2003 Page 9 of 20

negotiations or discussions undertaken in conjunction with the Agreement, shall not be admissible into evidence in this or any other proceeding.

$\overline{}$	SEPAR	ATIONS STUDY V: 1,01 Copyright (c) State of Colo	orado 2002			1 .	T	7		1	PART 4		·
Sumn		Company Name: Phillips County Telephone Comp			Restated	7	OTAL COMPAN	lY .		PART 4	STATE	ADJ	STATE
00		18-Nov-03	COMPANY	RESTATING	as	PRO FORMA	AS	INTERSTATE	STATE	STATE	BILLING &	TEST	AFTER
LN			AS RECORDED	ADJS	ADUSTED	ADJUSTMENTS		TOTAL	TOTAL		COLLECTION	YEAR	CHANGES
					-F-								0
- A -	- B -	депативница С мунататати	D	E	- F	G	H		J	_K_	<u>t</u> :	<u> </u>	
6		ERATING REVENUES			<u></u>								
	5000	LOCAL SERVICES	445,613	0	445,613	(22,582)	423,031		423,031			423,031	423,031
	5169.2		0	. 0	0	22,842	22,842		22,842	<u> </u>		22,842	22,842
9	5080	NETWORK ACCESS SERVICES - INTERSTATE	741,102	0	741,102	(62,386)	678,716	678,716				_ 0	. 0
10	5169.1	INTERSTATE UNIVERSAL SERVICE FUND	206,376	0	206,376	88,342	294,718		294,718			294,718	294,718
11	5084	NETWORK ACCESS SERVICES - STATE	198,255	0 !	198,255	80,454	278,709		278,709	,		278,709	278,709
12	5100	LONG-DISTANCE SERVICE .	269,246	(268,219)	1,027	Ō	1,027	0	1,027			1,027	1,027
	5200	MISCELLANEOUS	31,477	(23,079)	8,398	25,305	33,703	0	33,703		(25,305)	8,398	8,398
	5280	NONREGULATED	196,581	(196,581)	0	.0	0	0	0,,,00	0	120,000/	0.	0
15	3200	. Subtotal	2,088,650	(487,879)	1,600,771	131,975	1,732,746	678,716		0	(25,305)	1,028,725	1,028,725
			2,060,030	(407,079)	1,000,111		1,732,740	0/0,/10	1,054,030	<u>_</u>	(20,300)	1,020,123	1,020,123
16		Less											
	5300	UNCOLLECTIBLES	23,112	0	23,112	0	23,112	0	23,112	0	0	23,112	23,112
18													
19		TOTAL OPERATING REVENUES	2,065,538	(487,879)	1,577,659	131,975	1,709,634	678,716	1,030,918	0	(25,305)	1,005,613	1,005,613
20													
21		OPERATING EXPENSES				<u>.</u>							
22		PLANT SPECIFIC	308,697	0	308,697	0	308,697	111,184	197,513	0	0.	197,513	: 197,513
23		PLANT NONSPECIFIC	160,148	(13,117)	147,031	Ö	147,031	60,914	86,117	0	0	86,117	86,117
24		DEPRECIATION & AMORTIZATION	352,284	(2,377)	349,907	0	349.907	124,495	225,412	0	0	225,412	225,412
25		CUSTOMER OPERATIONS	128,089	0	128,089	0	128,089	58,660	69,429	0	(14,656)	54,773	54,773
26		CORPORATE OPERATIONS	394,322	o l	394,322	10,000	404.322	175,525	228,797	0	(10,649)	218,148	218,148
27		OTHER OPER INC/EXP. OTHER	62	0	62	0	62	21	41	0	(10,043)	41	41
28		SPECIAL CHARGES (CONTRIB, DUES, FEES,+)	945	0	945	0	945	410	535	0		535	535
29		SPECIAL CHARGES (CONTRIB, DOES, TEES, T)	345	·	940		945	410	535			330	333
30				(45.45.45	1,329,053	10,000	1.000		*******	0		782,538	782,538
		ODEDATINO TAVES	1,344,547	(15,494)	1,329,053	10,000	1,339,053	531,210	807,843	<u> </u>	(25,305)	102,000	162,556
31		OPERATING TAXES											
32	7240		53,817	0	53,817	. 0	53,817	18,566	35,251	0	0	35,251	35,251
33	7250		0	0	0	0	0	0	0	0	0	0	0
34			0	0	0	0	0	0	0	0	0	0	0
35	7220+3	FED & STATE INCOME TAXES	0	0	0	0	0	0	0	0	0	0	0
36													
37		TOTAL OPERATING TAXES	53,817	0	53,817	0	53,817	18,566	35,251	0	0	35,251	35,251
38													
39							~~~~~		***************************************				
40		NET OPERATING INCOME	667,174	(472,385)	194,789	121,975	316,764	128,940	187,823	0	Ö	. 187,823	187,823
41		121 01 01011110 11100111	501,111	1112,000)			0.0,704	120,040	101,020				
42		Average of Monthly Average Rate Base					·				}		
	2001	Tel, Plant in Service	6,294,099	0	6,294,099	0	6.294.099	0.474.070	4.122.726	0.	-	4.122.726	4,122,726
			6,294,099		0,294,099			2,171,373					4,122,120
	2002	Plant Held for Future Use					0	0	0	0	0	0	
	2003	Plant Under Const-Short Term	256,668	0	256,668	0	256,668	88,547	168,121	0	0	168,121	168,121
46		Other Assets	0	0	0	. 0	0	0	0	0	0	0	0
	220	Materials & Supplies	81,650	0	81,650	. 0	81,650	22,564	59,086	0	0	59,086	59,086
48		Cash Working Capital	42,553	0	42,553	(25,030)	17,523	17,523	0	0		0	0
49		LESS			. 0	· ·	0						
	100	Depreciation Reserve	3,124,896	0	3,124,896	0	3,124,896	1,153,388	1,971,508	0	0	1,971,508	1,971,508
51 3	500	Accum Amort Intangible	0	0	.0	.0	0	0	0	0		0	0
52 4	040	Customer Deposits & Contributions	1,397	0	1,397	0	1,397	482	915	0	0	915	915
	340	Accum Def Inc Taxes	0	0	0	0	0	702	0	<u>-</u>	0	0	0
		OTHER DEFERRED CREDITS - NET	0	0	0	ŏ	0		0		-	0	ő
55		CITIES DE LINED GREDITO - NET											
		•				(05.000)							2,377,511
		DATE BACE .	2 540 677										
56		RATE BASE :	3,548,677	0	3,548,677	(25,030)	3,523,647	1,146,136	2,377,511	0	0	2,377,511	2,377,311
56 57 -													
56		RATE BASE RETURN ON RATE BASE	3,548,677	0.00%	3,548,677 5.49%	-487.31%	8.99%	1,146,136	7.90%	0.00%	0.00%	7,90%	7.90%

SEPARATIONS STUDY V: 1.01 Copyright (c) State of Colorado 2002 Company Name: Phillips County Telephone Company

		Company Name: Phillips County	Felephone Company	•	Net			,	
		DESCRIPTION		:	AMOUNT				
*****	1	ACCESS MINUTES OF USE	CCL		3,066,814	and diffe Spary of the Spary State of the Spary			
	2 3	ACCESS REVENUE REQUIREM	ENT	•	\$326,348				
	4 5		• •						
	6	•	Message Toll	•	\$ ~				
	8 9 10 11 12 13 14 15 16		COMMON LINE EQUAL ACCESS SWITCHING TRANSPORT INFORMATION SPECIAL ACCESS BILLING & COLLECTION Switched Access (Lns 8 ->	12)	\$199,054 \$0 \$36,440 \$32,085 \$1,675 \$10,482 \$25,305			Revenues	
	18 19 20 21	RATE PER MINUTE		Current Rate	Proposed Rate	Access Minutes	Proposed Revenues	via Current Rates	·
2	22 23 24 25		COMMON LINE ORIGINATING TERMINATING	\$0.023808 \$0.028113	\$0.050826 \$0.076239	1,367,667 1,699,147	\$69,513 \$129,541	\$32,561 \$47,768	
2	26 27	· · · · · · · · · · · · · · · · · · ·	SWITCHING	\$0.018233	\$0.011882	3,066,814	\$36,440	\$55,917	
- 2	28		TRANSPORT	\$0.015468	\$0.010462	3,066,814	\$32,085	\$47,437	• •
3	29 30		INFORMATION	\$0.000777	\$0.000546	30,668	\$1,674	\$24	
3	31 32 33		· · 800	\$0.003500	\$0.003500	0	\$0	·\$0	App Doc Dec Dec Pag
3	34		IntraLATA 2-Pick Change Charge	\$5.00	\$3.50	0	\$0	\$0	Appendix A Oocket No. 03 Decision No. December 31 Page 11 of 20
3	35 36 37		Pre Subscription Surcharge	\$0.001062	\$0.000000	0	\$0	\$0	Appendix A Docket No. 03S-315T Decision No. R03-1466 December 31, 2003 Page 11 of 20
3	88 89		U S WEST FG A	·			\$0	\$0	\$15T \$-1466 03
. 4 4		AVE TOTAL PER MINUTE RATE		\$0.059902	\$0.087796	ganded for any local districts	\$269,253	\$183,708	\$80,045

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DATED this 10th day of December, 2003.

APPROVED:

APPROVED AS TO FORM:

PHILLIPS COUNTY TELEPHONE COMPANY

By:

Vince Kropp

General Manager

PO Box 387

Holyoke, Colorado 80734

Barry L. Hiprt, #19551

Attorney at Law

PO Box 300

Littleton, CO 80160

(303) 795-8080

ATTORNEY FOR PHILLIPS COUNTY TELEPHONE

COMPANY

APPROVED:

APPROVED AS TO FORM:

STAFF OF THE PUBLIC UTILITIES COMMISSION

KEN SALAZAR Attorney General

By:

Karlton R. Kunzie Rate/Financial Analyst 1580 Logan Street, OL2 Denver, Colorado 80203 By:

Michael J. Santisi, #29673 Assistant Attorney General 1525 Sherman Street, 5th Floor Denver, Colorado 80203 Telephone: (303) 866-5135

ATTORNEY FOR STAFF OF THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Appendix A Docket No. 038-315T Decision No. R03-1466 December 31, 2003 Page 13 of 20

DATED this 10th day of December, 2003.

APPROVED:

APPROVED AS TO FORM:

PHILLIPS COUNTY TELEPHONE COMPANY

By:____

Vince Kropp General Manager PO Box 387 Holyoke, Colorado 80734 By:_

Barry L. Hjort, #19551 Attorney At Law PO Box 300 Littleton, CO 80160 (303) 795-8080

APPROVED AS TO FORM:

KEN SALAZAR

Attorney General

ATTORNEY FOR PHILLIPS COUNTY TELEPHONE COMPANY

APPROVED:

STAFF OF THE PUBLIC UTILITIES COMMISSION

Karlton R. Kunzie

Rate/Financial Analyst 1580 Logan Street, OL2 Denver, Colorado 80203

D. Kungio

By:_

Michael J. Santisi, #29673 Assistant Attorney General

1525 Sherman Street, 5th Floor Denver, Colorado 80203

Telephone: (303) 866-3764

ATTORNEY FOR STAFF OF THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

APPROVED:

COLORADO OFFICE OF CONSUMER COUNSEL

APPROVED AS TO FORM:

Appendix A
Docket No. 03S-315T
Decision No. R03-1466
December 31, 2003
Page 14 of 20

KEN SALAZAR Attorney General

Patricia Parker

Rate/Financial Analyst

1580 Logan Street, Suite 740

Denver, Colorado 80203

Stephen W. Southwick, #30389

First Assistant Attorney General 1525 Sherman Street, 5th Floor

Denver, Colorado 80203

Telephone: (303) 866-5869

ATTORNEY FOR COLORADO OFFICE OF CONSUMER COUNSEL

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of December, 2003, the original and 5 copies of the foregoing JOINT MOTION TO APPROVE STIPULATION AND SETTLEMENT AGREEMENT and STIPULATION AND SETTLEMENT AGREEMENT were hand-delivered to:

Bruce Smith, Director Colorado Public Utilities Commission 1580 Logan, OL2 Denver, CO 80203

and a copy was hand-delivered to Staff and placed in the United States mail to other parties, postage prepaid, and addressed to:

Mr. Vincent Kropp, Manager Phillips County Telephone Company 240 S. Interocean Holyoke, CO 80734

Pat Parker Rate/Financial Analyst Office of Consumer Counsel 1580 Logan Street, Suite 740 Denver, CO 80203

Karlton Kunzie Testimonial Staff Public Utilities Commission 1580 Logan St., OL2 Denver, CO 80203

William Steele Testimonial Staff Public Utilities Commission 1580 Logan St., OL2 Denver, CO 80203

Becky Quintana Advisory Staff Public Utilities Commission 1580 Logan St., OL2 Denver, CO 80203 Michelle Carpenter Agent, Phillips County Telephone Company P.O. Box 387 Holyoke, CO 80734

Michael Santisi Assistant Attorney General Business & Licensing Section Office of the Attorney General 1525 Sherman St. 5th Floor Denver, CO 80203

John Trogonoski Testimonial Staff Public Utilities Commission 1580 Logan St., OL2 Denver, CO 80203

Gary Klug Testimonial Staff Public Utilities Commission 1580 Logan St., OL2 Denver, CO 80203

Vinson Snowberger Advisory Staff Public Utilities Commission 1580 Logan St., OL2 Denver, CO 80203

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Michael Zimmerman Advisory Staff Public Utilities Commission 1580 Logan St., OL2 Denver, CO 80203

Barry L. Hjort
Executive Vice-President
Colorado Telecommunications Association
P.O. Box 300
Littleton, CO 80160

Anthony Marquez, Esq. Assistant Attorney General State Services Section Office of the Attorney General 1525 Sherman St., 5th Floor Denver, CO 80203

Kevin J. Kelly TCA, Inc. 1465 Kelly Johnson Blvd., Suite 200 Colorado Springs, CO 80920

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO 2003 DEC 19 PM 2: 09

RE: THE INVESTIGATION	ON AND SUSPENS	SION)		
OF TARIFF SHEETS FILE	ED BY PHILLIPS)	Docket No. 03S-315T	
COUNTY TELEPHONE	COMPANY WITH)		
ADVICE LETTER NO. 61	1.)		
			:	

NOTICE OF SUPPLEMENTAL FILING

Phillips County Telephone Company ("PCTC"), by and through undersigned counsel, hereby gives notice that it has this date made a supplemental filing in this docket. In connection with this Notice, PCTC states as follows:

- 1. On December 10, 2004 the Parties to this docket (PCTC, Staff of the Colorado Public Utilities Commission and the Office of Consumer Counsel) filed their Stipulation and Settlement Agreement.
- 2. Paragraph 4 of the Stipulation provides, among other things, that the Parties have attached PCTC's revised *pro forma* tariffs as a part of the Stipulation's Exhibit A. Through inadvertence, the PCTC revised tariff sheet was not attached to the Stipulation.
- 3. PCTC's revised *pro forma* tariff sheet updating its switched access rates in compliance with the Stipulation and settlement agreement of the Parties is attached hereto.

 PCTC respectfully requests that it be made a part of the record as an attachment to Exhibit A of the Parties' Stipulation.

WHEREFORE, PCTC respectfully requests that the tariff sheet appended to this Notice be included in the record in this proceeding as an attachment to Exhibit A of the Parties' Stipulation.

Dated this 19th day of December, 2003.

Phillips County Telephone Company

Bv:

Barry L. Hjort, Reg. No. 19551

PO Box 300

Littleton, CO 80160

303.795.8080

rollsroyal@aol.com

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of December, 2003, the original and 8 copies of the foregoing Notice of Supplemental Filing were hand-delivered to:

Bruce Smith, Director Colorado Public Utilities Commission 1580 Logan Street, OL2 Denver, CO 80203

and that on the same date true and correct copies were served by placement in the United States mail, first class postage prepaid, addressed to the following:

Stephen Southwick, Esq. First Assistant Attorney General Office of the Attorney General 1525 Sherman St., 5th Floor Denver, CO 80203

Pat Parker Office of the Consumer Counsel 1580 Logan St., Suite 610 Denver, CO 80203 Anthony E. Marquez, Esq. First Assistant Attorney General 1525 Sherman St., 5th Floor Denver, CO 80203

Michael Santisi, Esq. Assistant Attorney General Office of the Attorney General 1525 Sherman St., 5th Floor Denver, CO 80203

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To Solary

Phillips County Telephone Company

COLORADO P.U.C.TARIFF NO.11.
4th Revised Page 3

ACCESS SERVICE

12. Rates and Charges

All the rates and charges for the services offered in this tariff are shown in this section. Reference is made for each rate element to the appropriate tariff paragraph where the application of the service is described.

12.1 Switched Access Service

(A)	Carrier Common Line	Rate Source			
	(1) Originating Per Access Minute (2) Terminating Per Access Minute	.050826	3.7.E	(I) (I)	
(B)	End Office				
·	(1) Local Switching Per Access Minute (2)	.011882	6.1.3(B)(1)	(R)	
	(3)				
	(4) Directory Assistance Information Surcharge Per Access Minute	.000546	6.1.4(B)(4)	(R)	
(C)	Local Transport				
	(1) Local Transport Termination Per Access Minute (2) Local Transport Facility Per Access Minute	.010462	6.1.3(A)	(R)	
·.	Per Mile	N/A	6.1.3(A)		
(D)	Installation Charge Per Installation	171.70	6.6.1(C)		
(E)	Recording Per message	.010000	6.1.8		

Issued: 12/16/03 Mr. Vincent Kropp, Manager Effective: 01/01/04
Advice Letter No. 61 Phillips County Telephone Company
240 S. Interocean
Holyoke, Colorado 80734