

Decision No. C04-0132

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-555T

IN THE MATTER OF THE APPLICATION OF WORKING ASSETS FUNDING SERVICE,
INC. D/B/A WORKING ASSETS FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY TO PROVIDE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES.

ORDER GRANTING APPLICATION

Mailed Date: February 5, 2004

Adopted Date: February 4, 2004

I. BY THE COMMISSION

A. Statement and Findings of Fact

1. On December 30, 2003, Working Assets Funding Service, Inc. (Working Assets), filed an application for a Certificate of Public Convenience and Necessity to provide local exchange telecommunications services ~~and a Letter of Registration to provide emerging competitive telecommunications services~~ throughout the State of Colorado. 4 *Code of Colorado Regulations* (CCR) 723-25-4.

2. Notice of the application was posted on the Commission's web site on January 2, 2004. Interventions were due on or before January 22, 2004. None were filed.

3. On January 28, 2004, Working Assets filed responses to questions posed by Staff of the Colorado Public Utilities Commission. Those responses completed the initial application.

B. Discussion

~~4. On January 28, 2004 Staff received supplemental information to the initial application. Staff has reviewed the information and has no concerns with the information provided by Working Assets.~~

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~~5.4.~~ -The application is unopposed and may be considered without a hearing. § 40-6-109(5), C.R.S.

~~6.5.~~ Granting the application of Working Assets is consistent with the legislative policy statements contained in §§ 40-15-101, 40-15-501, and 40-15-502, C.R.S.

~~7.6.~~ Before providing local exchange services, Working Assets must: (1) have effective tariffs for its services on file with the Commission; and (2) comply with all statutory and regulatory requirements applicable to telecommunications providers subject to the jurisdiction of the Commission. 4 CCR 723-25-4.1.10.

II. **ORDER**

A. **The Commission Orders That:**

1. Working Assets Funding Service, Inc.'s application is deemed complete.
2. Working Assets Funding Service, Inc., is granted a Certificate of Public Convenience and Necessity to provide local exchange telecommunications services throughout the State of Colorado. A detailed description of the applicant's service territory will be delineated in the local exchange maps filed with the tariff.
3. Working Assets Funding Service, Inc.'s local exchange telecommunications services will be regulated under the default regulatory scheme contained in 4 *Code of Colorado Regulations* (CCR) 723-38.
4. Working Assets Funding Service, Inc., shall serve customers in its service territory on a non-discriminatory basis. "Service territory" shall be defined as that portion of

Colorado included in the local exchange maps provided with the applicant's tariffs. However, Working Assets Funding Service, Inc., shall not be required to extend service to customers where the underlying facilities-based provider has no facilities.

5. Unless the Commission orders otherwise, Working Assets Funding Service, Inc., shall begin providing local exchange service within three years after the grant of this Certificate of Public Convenience and Necessity. 4 CCR 723-25-6.

6. Before commencing operations under this Certificate of Public Convenience and Necessity to provide local exchange telecommunications services, Working Assets Funding Service, Inc., shall file an Advice Letter containing local exchange maps, local calling areas, and a proposed tariff to become effective on not less than 30 days' notice. 4 CCR 723-1-41. Working Assets Funding Service, Inc., may also file a separate price list with the proposed tariff.

7. If Working Assets Funding Service, Inc., fails to file an effective tariff within three years from the Mailing Date of this Order, this Certificate of Public Convenience and Necessity to provide local exchange telecommunications services shall be deemed null and void. For good cause shown, and if a proper request is filed within three years of the Mailing Date of this Order, the Commission may grant Working Assets Funding Service, Inc., additional time within which to file a tariff.

8. In accordance with the Commission's Rules of Practice and Procedure, Working Assets Funding Service, Inc., will be required to maintain its books of accounts and records using Generally Accepted Accounting Principles. 4 CCR 723-1-25(c).

9. Consistent with terms and conditions established in previous Commission decisions, Working Assets Funding Service, Inc., will be required to contribute to the Public Utilities Commission's Fixed Utilities Fund, the Colorado High Cost Support Mechanism, the Telecommunications Relay Services for the Disabled Telephone Users Program, the Emergency Telephone Access Act Program (Low Income Fund) if applicable, and other financial support mechanisms that may be created in the future by the Commission to implement §§ 40-15-502(4) and (5), C.R.S.

10. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
February 4, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

