

Decision No. C04-0780

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04B-361T

IN THE MATTER OF THE PETITION OF AUTOTEL FOR ARBITRATION OF AN
INTERCONNECTION AGREEMENT WITH QWEST CORPORATION PURSUANT TO
SECTION 252(B) OF THE TELECOMMUNICATIONS ACT.

DECISION ORDERING NOTICE

Mailed Date: July 15, 2004

Adopted Date: July 15, 2004

I. BY THE COMMISSION

A. Statement and Findings of Fact

~~7.1.~~ On July 2, 2004, Autotel filed a Petition for Arbitration of an interconnection agreement between Autotel and Qwest Corporation. With this Petition, however, Autotel failed to comply with the notice requirements found at 4 *Code of Colorado Regulations* (CCR) 723-46-4.2 and 4.3.

2. Therefore, we order Autotel to send notice to the Office of Consumer Counsel, any telecommunications carrier certified by the Commission in Colorado, and any telecommunications carrier known to be negotiating an agreement for interconnection pursuant to 4 CCR 723-46-4.2 and 4.3. This notice shall be mailed no later than five days after the mailed date of this order. Autotel shall file a copy of this notice and its certificate of service with the Commission.

3. We also extend the intervention period to 15 days after the mailed date of this order.

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4. Further, we note that the Petition for Arbitration does not appear to be signed by an attorney licensed to practice law in Colorado. We refer Autotel to Rule 21, Commission Rules of Practice and Procedure, 4 CCR 723-1, which lists those limited exceptions where non-attorneys may participate in formal Commission proceedings. It is not apparent that any of those exceptions apply here. Autotel is directed to inform the Commission, within ten days of the effective date of this order, whether Mr. Oberdorfer (the signatory to the Petition) is a Colorado-licensed attorney, or whether and how one of the exceptions listed in Rule 21 authorizes representation by a non-attorney in this proceeding. Alternatively, Autotel must timely obtain an attorney to represent it in this case. That attorney shall enter his or her appearance in this case within 14 days of the effective date of this order.¹

II. ORDER

A. The Commission Orders That:

~~9-1.~~ Autotel is ordered to provide notice of its Petition for Arbitration pursuant to 4 *Code of Colorado Regulations* (CCR) 723-46-4.2 and 4.3. A copy of this notice and its certificate of service shall be filed with the Commission.

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2. The intervention period for this matter is extended to 15 days after the Mailed Date of this Order.

3. Autotel is ordered to comply with 4 CCR 723-1-21.

~~10-4.~~ This Order is effective on its Mailed Date.

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¹ If Autotel's attorney is licensed in another state and not in Colorado, that attorney must file a motion for admission *pro hac vice* with the Commission and must comply with Rule 221, Colorado Rules of Civil Procedure.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
July 15, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

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