

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04M-435T

IN THE MATTER OF THE INVESTIGATION OF COMPETITION IN COLORADO'S
TELECOMMUNICATIONS MARKET.

**ORDER OPENING DOCKET AND REQUIRING
RESPONSES TO SURVEY ON COMPETITION**

Mailed Date: September 1, 2004

Adopted Date: August 18, 2004

I. BY THE COMMISSION

A. Statement

1. On July 21, 2004, Qwest Corporation "Qwest" submitted its application for reclassification of certain retail services and products from Part 2 (C.R.S. 40-15-201 *et seq.*) to Part 3 (C.R.S. 40-15-301 *et seq.*), pursuant to C.R.S. 40-15-207, and for the deregulation of Commission oversight of all retail services and products pursuant to C.R.S. 40-15-305, except for Basic Emergency Service, N11 Service and Switched Access Charges. Qwest stated in the application that it was seeking deregulation of Commission oversight of all retail services, including primary lines, additional lines, IntraLATA and InterLATA exchange services, bundled and packaged services, features, operator services necessary for the provision of basic local exchange service, tariffed and customer-specific contracts, public access lines (PAL), and analog private line with a capacity of less than 24 voice grade circuits. On August 10, 2004, because it was unable to comply with the notice provisions set forth in the applicable rules, Qwest

withdrew its application. Based upon Qwest's withdrawal, the Commission is closing that application docket.

2. In its request to withdraw, however, Qwest notified the Commission that it intends to refile its application in the near future. Therefore, in preparation for that refiling, we open this docket for the purpose of gathering certain information regarding the state of competition in regulated telecommunications markets in Colorado. Information the Commission now seeks to gather relates to various aspects of the telecommunications markets that are relevant to the question of effective competition for those products and services regulated by the Commission. We anticipate that this information will assist the Commission and interested parties in the upcoming Qwest application for reclassification and deregulation.

3. We append to this order (as Attachment A) a survey directed to the telecommunications providers subject to the Commission's jurisdiction. Those companies listed on Attachment B--these are entities subject to the Commission's regulatory jurisdiction--are directed to submit responses (in this docket) to the survey questions within 21 business days of the effective date of this order.

4. Commission Staff is authorized to review responses to ensure that each company has answered survey questions adequately. If Staff determines that additional or supplemental responses are necessary and is unable to informally resolve disputes with the companies, Staff may file a motion to compel responses or supplemental responses in this docket. Such motions shall be served upon any company with whom Staff has a dispute. Any company so served may file a response in this docket to Staff's motion to compel within 7 business days of the filing of Staff's motion. Additionally, Commission Staff is authorized to serve follow-up questions upon any entity listed on Attachment B. Those questions shall relate to topics or issues raised in

Attachment A. Staff shall propose such follow-up questions in writing, filed in this docket, and obtain Commission approval for such questions.

5. Certain criteria for effective competition are included in §§ 40-15-207 and 40-15-305; it is these criteria that will be key components of the survey questions:

- a) The extent of economic, technological, or other barriers to market entry and exit;
- b) The number of other providers offering similar services;
- c) The ability of consumers to obtain the service from other providers at reasonable and comparable rates, on comparable terms, and under comparable conditions;
- d) The ability of any provider of such telecommunications service to affect prices or deter competition;
- e) Such other relevant and necessary factors, including but not limited to relevant geographic areas, as the Commission deems appropriate.

6. The Rules Relating to the Claim of Confidentiality of Information Submitted to the Colorado Public Utilities Commission, 4 CCR 723-16, shall apply to this proceeding as modified by Attachment C. Parties seeking to modify or supplement these confidentiality provisions shall timely file a motion requesting such action by the Commission.

7. The products and services that are the subject of this competitive analysis are offered in Colorado by a variety of providers, excluding Part 2 services provided by the small rural telecommunications providers. Those providers include all certificated carriers, Part 2 carriers, all Part 3 carriers, toll resellers, nonoptional operator service providers, and wireless providers certified as Eligible Telecommunications Carriers or Eligible Providers. These are the entities listed on Attachment B.

8. Time is of the essence in this investigation. Therefore, the Commission expects timely complete and accurate responses to the questions contained in Attachment A.

II. ORDER**A. The Commission Orders That:**

1. This docket is hereby opened for the above-stated purposes.
2. The telecommunications companies listed on Attachment B are directed to file responses as directed in the above-referenced survey, Attachment A, consistent with the above discussion, and are joined as indispensable parties to this docket.
3. Interested persons may file requests for intervention in this docket, in accordance with the Commission's Rules of Practice and Procedure, 4 CCR 723-1, within 30 days of the effective date of this order.
4. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
August 18, 2004.**

(S E A L)



ATTEST: A TRUE COPY

Bruce N. Smith
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

GREGORY E. SOPKIN

POLLY PAGE

CARL MILLER

Commissioners

[This online version reflects corrections and clarifications not in Attachment A mailed with the decision.]

Letter to Providers

Attachment A
Decision No. C04-0984
Docket No. 04M-435T

September 1, 2004

TO: Colorado Telecommunication Services Providers

RE: Investigation of Competition in Colorado's Telecommunications Market
Decision No. C04-0984 Docket No. 04M-435T

Pursuant to the captioned decision, all telecommunications providers listed in Attachment B to Commission Decision C04-0984 are required to complete the attached survey and submit it to the Commission within 21 days. The complete survey is available at the PUC Website, www.dora.state.co.us/puc/docket_activity/2004/COPUCCompetitionSurvey04.xls.

The attached paper copy of the survey is a sample only. PLEASE DOWNLOAD AN ELECTRONIC COPY OF THE SURVEY, COMPLETE THE APPROPRIATE SECTIONS, AND SUBMIT AN ELECTRONIC FILE OF THE COMPLETED SURVEY AS DIRECTED BELOW. The survey is in an Excel spreadsheet format; for your convenience, it has been pre-populated with wire center names and CLLI codes. Please read the definitions and instructions on Tab 1 of the survey before entering data. All information contained in the survey will be treated as Highly Confidential in accordance with Commission rules, 4 CCR 723-16 and Attachment C.

Please save the file as in its current format Excel for Microsoft Office 2000 or higher version and save the file with the following naming convention: Company_Name.xls

After completion, please send the survey as an e-mail attachment to Ellie.Friedman@dora.state.co.us, or send it on a CD or disk to Ellie Friedman at the address that follows. In addition, each company completing the survey must send a signed paper copy of the Attestation (Tab 3) to Ellie Friedman, Fixed Utilities, Public Utilities Commission, 1580 Logan St., Office Level 2, Denver, CO 80203.

If you are unable to download the survey, or if you have any questions, please call Ellie Friedman at (303) 894-2886.

Thank you for your time in completing the survey. The information you provide will assist the Commission as it makes decisions that will affect telecommunication services in Colorado.

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The complete survey is available at www.dora.state.co.us/puc/docket_activity/2004/COPUCCompetitionSurvey04.xls

Instructions

1. The questions contained in this survey are asked pursuant to Decision C04-0984, Docket 04M-435T. Each provider under the jurisdiction of the Colorado Public Utilities Commission must answer each question as thoroughly as possible. **Not all questions apply to all providers; complete the relevant questions on the Tabs as indicated in Tab 2.**
2. Information provided in the survey should reflect the company's Colorado operations only. Part 2 and Part 3 services refer to those services detailed in Colorado Revised Statutes, Sections 40-15-201 and 40-15-301.
3. All information should reflect company records as of December 31, 2003.
4. If the company does not keep the record of number of customers served, relevant information (e.g., the number of customers billed in the latest month) shall be provided and noted on the survey.

The complete survey is available at the PUC Website,
www.dora.state.co.us/puc/docket_activity/2004/COPUCCompetitionSurvey04.xls.

Definitions**Types of Providers**

"ILEC" means an incumbent local exchange carrier.

"CLEC" means a competitive local exchange carrier. A CLEC is an entity authorized to provide Local Exchange Service that does not otherwise qualify as an Incumbent Local Exchange Carrier (ILEC).

"DLEC" means a data local exchange carrier or company that provides or delivers high-speed access to the Internet and may also provide or deliver voice service.

"Toll Reseller" means a provider of interLATA or intraLATA telecommunications services via facilities leased or purchased from another provider.

Terms Used in the Survey

"DS-0 Circuit": A digital signal that is equivalent to one voice circuit using a bandwidth of up to 64 Kbps. There are 24 DS0 channelized circuits on a DS-1 pipe.

"End User": Residential, business, institutional, and government customers who use the service for their own purposes and do not resell them to other entities.

"Facilities Based": A telecommunications provider that uses its own switches **and** network facilities (e.g., local loop) to provide service to the end user. Those providers who have a contract or lease agreement with a non-ILEC provider for the use of the switch **and** network facilities are also considered facilities-based. If the company uses its own switch but uses UNE-L (UNE-Loop) purchased from an ILEC to provide service to the end user, those lines are considered to be, for this survey, UNE-L lines.

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"InterLATA": Telecommunications services between LATAs.

"IntraLATA": Telecommunications services within one LATA.

"Large Business Customer": A customer with six or more access lines, purchasing products and services listed as "Business" in the company's Colorado tariff, price list, or in a special contract.

"Line": The physical medium supporting a telecommunications channel to the end user.

"Local Exchange Service": Telecommunications service which provides a local dial tone line and local usage necessary to place or receive a call within an exchange area. Includes all ISDN (BRI and PRI), PBX and Centrex/Centron trunks.

"Part 2": Services listed in Colorado Revised Statutes, Section 40-15-201(2).

"Part 3": Services listed in Colorado Revised Statutes, Section 40-15-301(2).

"Private Line": A leased dedicated line or circuit that is permanently connected from one point to another (i.e. a dedicated facility line from a business location to a central office or another business location). A leased circuit (less than 56K analog or DS-1) that acts like a pipeline carrying data or voice from one point to another.

"Residential Customer": A customer that receives products and services classified as "Residential" in the company's Colorado tariff or price list or in a special contract.

"Resale": Provision of retail telecommunications services through the purchase of services from another provider at a discounted price that is negotiated or as is listed in a tariff, price list, or contract (including SGAT) offering.

"Reseller": A telecommunications company that provides services that it purchases at a discount, either through negotiation or at tariffed prices, from a facilities-based telecommunications company, and then offers the services, either by themselves or in combination with other services, to an end user.

"Retail": Services that are intended for use by an end use customer.

"Small Business Customer": A customer with five or fewer access lines, receiving products and services listed as "Business" in the company's Colorado tariff, price list, or contract.

"UNE Combinations": Any combination of unbundled network elements purchased by the competitive provider that are used to provide a finished public telecommunications service to end users (e.g., UNE-P, UNE-M, UNE-E). Use of UNE-L with a switch that the company owns or has a lease/contract for is considered, for this survey, UNE-L.

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"UNE-L": A local loop network element that is a transmission facility between the main distributing frame (MDF) in a LEC central office and the point of demarcation at an end-user's premises. This element allows for the transmission of the CLEC's telecommunication services when connected to the CLEC's switch equipment. The local loop requires cross-connects for connection to the CLEC's collocation equipment.

"Voice Equivalent Lines" (DS-0): Lines that allow users to originate and terminate local calls on the public switched network, whether used by the end user for voice (bandwidth of 500 to 3500 Hz) telephone calls or for other types of calls carried over the public switched network. Lines used for exchange access services such as "POTS", fixed wireless, Centrex extensions and trunks, and broadband with which customers can switch between broadband and local exchange service without changing how the line is provisioned.

"Wholesale": Services sold to other telecommunications providers and used to provide finished retail services to

"Wire Center": The location where subscriber outside cable plant (local lines) are terminated. It is also the geographical service area of a telephone company's central office.

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Tab-by-Tab Instructions:

Not all providers will complete all worksheets. Complete only those worksheets that apply to the services your company provides. Retail services are those provided to end users; Wholesale services are those provided to other telecommunications providers.

Answer questions using data as of December 31, 2003 from Colorado operations only.

Tab 2, Company Information: Complete all information as requested. If your company has more than one affiliate, complete one survey for each affiliate. Provider name and d.b.a. are linked to each sheet throughout the survey.

Tab 3, Attestation: A company officer or agent must attest to the validity of the information provided. For the electronic submission, type in the name and title of the officer. The officer must sign the paper copy that is submitted to the PUC.

Tab 4, Part 2 Services, Retail: Provide counts of customers, lines, and revenues for all local exchange retail services provided to end users, by wire center. Also provide counts of lines sold as bundles that are billed according to tariffed package/bundled rates.

Tab 5, Part 2 Services, Wholesale: Provide counts of lines and revenues for all local exchange service lines sold to other telecommunications providers, by wire center.

Tab 6, Part 3 Services, Retail, Facilities & UNE: Provide counts of the minutes or lines, customers, and revenues for the services listed sold to end users and provided through the company's own switch and network facilities, or through a non-ILEC switch and network facilities through contract/lease arrangements, by wire center.

Tab 7, Part 3 Services Retail, Resale: Provide a count of the minutes or lines, customers, and revenues for the services listed sold to end users and provided through resale of services purchased from another provider at a discounted price that is negotiated or as is listed in a tariff, price list or contract (including SGAT), by wire center.

Tab 8a, Part 3 Services, Wholesale to ILECs: Provide counts of the minutes or lines and revenues for the services listed sold to ILECs, by wire center.

Tab 8b, Part 3 Services, Wholesale to non-ILECs: Provide counts of the minutes or lines and revenues for the services listed sold to non-ILECs, by wire center.

Tab 9, Wireless ETCs: Western Wireless Corporation and NE Colorado Cellular, provide count of lines, customers, and revenues by wire center.

Tab 10, Financial Information: Provide revenue, expense, and plant/equipment information for Colorado

Tab 11, Market Information: Please provide information as completely as possible.

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PROVIDER NAME: Colorado Telecom
Provider

dba, if any CTP

(Complete a survey for each affiliate of the parent firm)

Indicate the type telecommunications provider your company is in

Mark all that apply. See Tab 1 for Definitions

ILEC _____
CLEC _____
DLEC _____
Toll Reseller _____
Other (please specify) _____

**As of December 31, 2003, did you have customers
in Colorado?** _____

(If your company did not have customers as of December 31, 2003, indicate in the next line when you expect to begin operations in Colorado. The rest of the survey need not be completed, but this page must be submitted, along with the Attestation on Tab 3.)

- 1 Do you provide Local Exchange Service to end users? _____ (If yes, complete Tab 4)
- 2 Do you provide Local Exchange Service access (wholesale) to other providers? _____ (If yes, complete Tab 5)
- 3 Do you provide Facilities-based Intra- or Inter-LATA Toll, Private Line Service, and/or Non-optional Operator Services to end users? _____ (If yes, complete Tab 6)
- 4 Do you provide Toll Resale to end users? _____ (If yes, complete Tab 7)
- 5 Do you provide Intra- or Inter-LATA Toll, Private Line Service, and/or Non-optional Operator Services access capability to ILECs? _____ (If yes, complete Tab 8a)
- 6 Do you provide Intra- or Inter-LATA Toll, Private Line Service, and/or Non-optional Operator Services access capability to non-ILECs? _____ (If yes, complete Tab 8b)
- 7 What is the smallest capacity line that your company currently sells (e.g., DS0, T1)? _____

**All providers completing this survey must complete Tabs 2, 3, 10, and 11,
in addition to any Tabs indicated above.**

**Western Wireless Corp. and NE Colorado Cellular must complete Tabs 2,
3, 9, 10, and 11.**

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COMPANY CONTACT:

NAME _____

TITLE _____

MAILING ADDRESS _____

CITY _____

STATE _____

ZIP _____

TELEPHONE _____

FAX _____

E-MAIL ADDRESS _____

COMPANY ADDRESS:

STREET ADDRESS _____

CITY _____

STATE _____

ZIP _____

INTERNET ADDRESS _____

MAILING ADDRESS (if different):

STREET ADDRESS _____

CITY _____

STATE _____

ZIP _____

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Provider: Colorado Telecom Provider
dba: CTP

SIGNATURE AND ATTESTATION:

I hereby certify that I have examined this survey for the Colorado Public Utilities Commission, and that to the best of my knowledge, information and belief, all statements of fact contained in this report are true, and that to the best of my knowledge, information and belief, the report is a correct statement of the business and affairs of the above named Provider in respect to each and every matter set forth. The data provided in this report (and any attachments) is for informational purposes only and is considered proprietary and protected.

I hereby attest to the accuracy of this 2004 Colorado Public Utilities Commission survey:

Name of Signatory _____

Title of Signatory _____

Signature _____

(signature required on paper copy only)

Date: _____

Signatory must be an officer of the company

A signed paper copy of this attestation must be sent to:
Ellie Friedman, Fixed Utilities, Public Utilities Commission, 1580 Logan St., OL 2, Denver, CO 80203

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PROVIDER: Colorado Telecom Provider
dba: CTP

Retail Local Exchange Service (Sold to End Users)

Please provide counts of lines, customers, and revenues for all local exchange service provided to end users, by wire center, in Columns A., B., C., and D. The total of these columns will automatically calculate in Column D. In Column E., report the number of lines billed according to tariffed packages/bundled rates; do not include in this count lines sold as basic service with features added on and billed separately.

A. Facilities: Lines that are provided via the company's own switch **AND** network facilities, or via a switch **AND** network facilities of a non-ILEC that are accessed through contract/lease agreements. DO NOT INCLUDE IN THIS COLUMN ANY LINES THAT ARE PROVIDED USING ANY UNE-COMBINATION OR UNE-L.

B. UNE-Combination: Lines that are provided through the purchase of any combination of unbundled network elements (UNE), such as UNE-P, UNE-E, or UNE-M. DO NOT INCLUDE IN THIS COLUMN ANY LINES THAT ARE PROVIDED USING UNE-L ALONE.

C. UNE-L: Lines that are provided through purchase of UNE-L.

D. Resale: Lines that are purchased from another provider at a discounted price that is negotiated or that is listed in a tariff, price list, or contract (include SGAT) offering.

E. Automatically totals previous columns.

F. Of total retail local exchange lines, number sold as packages/bundles with features; do not include in this count lines sold as basic service with features added on and billed separately.

If you cannot provide information by wire center, provide counts by exchange area.

Provide only Colorado-specific information as of December 31, 2003

		A.			B.			C.			D.			E.			F.		
CLLI	Wire Center Name	Retail Local Exchange Service Facilities-Based			Retail Local Exchange Service UNE-Combo			Retail Local Exchange Service UNE-L			Retail Local Exchange Service Resale			Retail Local Exchange Service TOTAL			Number of Lines Sold Bundled with Features		
		lines	customers	revenues	lines	customers	revenues	lines	customers	revenues	lines	customers	revenues	lines	customers	revenues	lines	customers	revenues
	Large Business													0	0	0			
	Small Business													0	0	0			
	Residential													0	0	0			
	Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Large Business													0	0	0			
	Small Business													0	0	0			
	Residential													0	0	0			
	Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Large Business													0	0	0			
	Small Business													0	0	0			
	Residential													0	0	0			
	Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

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PROVIDER: Colorado Telecom Provider
dba: CTP

Wholesale Local Exchange Service (Sold to Other Providers)

Please provide counts of lines and revenues for all local exchange service sold to other telecommunications providers, by wire center.

A. Facilities: Lines that are provided via the company's own switch AND network facilities, or via a switch AND network facilities of a non-ILEC that are accessed through contract/lease agreements. DO NOT INCLUDE IN THIS COLUMN ANY LINES THAT ARE PROVIDED USING ANY UNE-COMBINATION OR UNE-L.

B. UNE-Combination: Lines that are sold as a **combination** of unbundled network elements (UNE), such as UNE-P, UNE-E, or UNE-M. DO NOT INCLUDE IN THIS COLUMN ANY LINES THAT ARE PROVIDED USING UNE-L ALONE.

C. UNE-L: Lines that are sold as UNE-L only.

D. Resale: Lines that are sold to another provider at a discounted price that is negotiated or that is listed in a tariff, price list, or contract (include SGAT) offering.

E. Automatically totals Columns A., B., C., and D.

Provide only Colorado-specific information as of December 31, 2003

CLLI	Wire Center Name	A.		B.		C.		D.		E.	
		Wholesale Local Exchange Service Facilities-Based		Wholesale Local Exchange Service UNE-Combo		Wholesale Local Exchange Service UNE-L		Whole Local Exchange Service Resale		Wholesale Local Exchange Service TOTAL	
		lines	revenues	lines	revenues	lines	revenues	lines	revenues	lines	revenues
	Large Business									0	0
	Small Business									0	0
	Residential									0	0
	Total	0	0	0	0	0	0	0	0	0	0
	Large Business									0	0
	Small Business									0	0
	Residential									0	0
	Total	0	0	0	0	0	0	0	0	0	0
	Large Business									0	0
	Small Business									0	0
	Residential									0	0
	Total	0	0	0	0	0	0	0	0	0	0

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PROVIDER: Colorado Telecom Provider
dba: CTP

Retail Part 3 Services (Sold to End Users)

Indicate below how your company obtains service sold to end users as Part 3 services:

Mark all that apply

Facilities-Based	
UNE-Combo	
UNE-L	
Resale	Go to Tab 7

Provide counts of the minutes or lines, end use customers, and revenues for the retail services listed below that are sold to end users and provided through the company's own switch **and** network facilities, or through a non-ILEC switch **and** network facilities accessed through contract/lease arrangements, or by UNE-combinations or UNE-L, by wire center.

Non-Qwest wire centers are listed first; Qwest wire centers begin at Row 136.

Provide only Colorado-specific information as of December 31, 2003

CLLI	Wire Center Name	Intrastate IntraLATA Toll			Intrastate InterLATA Toll			Private Line Service, fewer than 24 voice grade circuits			Non-optional Operator Services	
Non-Qwest Wire Centers		minutes	pre-subscribed customers	revenues	minutes	pre-subscribed customers	revenues	lines	customers	revenues	minutes	revenues
Qwest Wire Centers												

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PROVIDER: Colorado Telecom Provider
dba: CTP

Part 3 Services Sold to End Users via Lines Purchased at Discounted Rates

Provide counts of the minutes or lines, customers, and revenues for the services listed sold to end users and provided through resale of services purchased from another provider at a discounted price that is negotiated or as is listed in a tariff, price list or contract (including SGAT), by wire center.

If you cannot provide detailed TOLL data, please indicate below average monthly minutes and revenues for 2003.

Minutes Revenues

Non-Qwest wire centers are listed first; Qwest wire centers begin at Row 136.

Provide only Colorado-specific information as of December 31, 2003

CLLI	Wire Center Name	Intrastate IntraLATA Toll			Intrastate InterLATA Toll			Private Line Service, fewer than 24 voice grade circuits			Non-optional Operator Services	
Non-Qwest Wire Centers		minutes	pre-subscribed customers	revenues	minutes	pre-subscribed customers	revenues	lines	customers	revenues	minutes	revenues
Qwest Wire Centers												

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PROVIDER: Colorado Telecom Provider
dba: CTP

Part 3 Services Access Sold to ILECs

Provide counts of the minutes or lines, and revenues for the services listed sold to ILECs, by wire center.

Non-Qwest wire centers are listed first; Qwest wire centers begin at Row 136.

Provide only Colorado-specific information as of December 31, 2003

CLLI	Wire Center Name	Intrastate IntraLATA Toll		Intrastate InterLATA Toll		Private Line Service, fewer than 24 voice grade		Non-optional Operator Services	
Non-Qwest Wire Centers		minutes	revenues	minutes	revenues	lines	revenues	minutes	revenues
Qwest Wire Centers									

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PROVIDER: Colorado Telecom Provider
dba: CTP

Part 3 Services Access Sold to Non-ILECs

Provide counts of the minutes or lines, and revenues for the services listed sold to non-ILECs, by wire center.

Non-Qwest wire centers are listed first; Qwest wire centers begin at Row 136.

Provide only Colorado-specific information as of December 31, 2003

This is only a template. Specific information is to be submitted by December 31, 2005									
CLLI	Wire Center Name	Intrastate IntraLATA Toll		Intrastate InterLATA Toll		Private Line Service, fewer than 24 voice grade		Non-optional Operator Services	
Non-Qwest Wire Centers		minutes revenues		minutes revenues		lines revenues		minutes	revenues
Qwest Wire Centers									

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9- Wireless ETCs

Attachment A
Decision No. C04-0984
Docket No. 04M-435T

PROVIDER: Colorado Telecom Provider
dba: CTP

Wireless eligible telecommunications carriers (Western Wireless Corporation and NE Colorado Cellular.): Please provide the requested information by wire center.

Provide only Colorado-specific information as of December 31, 2003

CLLI	Wire Center Name	All Wireless Services		
		lines	customers	revenues

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PROVIDER: Colorado Telecom Provider
dba: CTP

Provide information for Colorado only

	<u>2004 (est.)</u>	<u>2003</u>	<u>2002</u>	<u>2001</u>
<u>Revenues</u>				
Gross revenues (as reported on DR525):				
Part 2 gross revenues:				
Part 3 gross revenues:				
<u>Expenses</u>				
Operating Costs:				
Marketing/Sales/Advertising Costs:				
<u>Plant and Equipment</u>				
Central Office Equipment:				
Cable and Wire Facilities:				

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The complete survey is available at www.dora.state.co.us/puc/docket_activity/2004/COPUCCompetitionSurvey04.xls

PROVIDER: Colorado Telecom Provider
dba: CTP

Please report the amounts spent on marketing and advertising in Colorado for 2003 for each category listed.

Provide information for Colorado operations for 2003

Marketing and Advertising	Large Business Customers	Small Business Customers	Residential Customers	Wholesale	2003 TOTAL
Direct Mail					
Telemarketing					
Print Advertising					
Television Advertising					
Radio Advertising					
Outdoor Advertising					
Trade Fairs					
Company Website					
Internet Advertising (Non-Website)					
Other (please specify)					
<u>Special Programs</u>					
New Product Introduction					
Customer Win-Back					

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The complete survey is available at www.dora.state.co.us/puc/docket_activity/2004/COPUCCompetitionSurvey04.xls

LIST OF PARTIES TO DOCKET

Part 2 Carriers

(Qwest Service Territory Only)

Qwest

CLECs With Tariff

ACN Communication Services, Inc.
Affinity Telecom, Inc.
AFN Consultants, Inc.
Allegiance Telecom of Colorado, Inc.
American Communications, LLC
Apollo Communications, LLC
Arizona Dialtone, Inc.
AT&T Communications of the Mountain States, Inc.
Atlas Communications, Ltd.
BCN Telecom, Inc.
CAT Communications International, Inc.
Cbeyond Communications, LLC
CI2, Inc.
Ciera Network Systems, Inc.
Colorado Teleserv, Inc.
Comcast Phone of Colorado, LLC
Comm South Companies, Inc.
Complete Telecommunications, Inc.
Covista, Inc.
Cypress Communications Operating Company, Inc.
Elite Telephone Company, Inc.
Emergent Communications, LLC
ERKAL VERTAN, LLC
Eschelon Telecom of Colorado, Inc.
Excel Telecommunications, Inc.
EZ Phone, Inc.
Fast Phones, Inc.
Fone.net, LLC
France Telecom Corporate Solutions, LLC
Futurum Communications Corporation
Global Crossing Local Services, Inc.
Global Crossing Telemanagement, Inc.
GoBeam Services, Inc.
Grand Valley Internet, Inc.
Granite Telecommunications, LLC
ICG Telecom Group, Inc.
idea! Communications Group, Inc.
IDT America Corp
iLOKA, Inc.
Inspiren Communications, Inc.

Intrado Communications, Inc.
Ionex Communications North, Inc.
Level 3 Communications, LLC
Liberty Bell Telecom, LLC
Lightyear Network Solutions, LLC
Live Wire Networks, Inc.
LTE Communications Services, Inc.
Mallcom Networks of Colorado, LLC
MCImetro Access Transmission Services, LLC
McLeodUSA Telecommunications Services, Inc.
N C Telecom, Inc.
New Access Communications, LLC
New Century DataCom, Inc.
NOS Communications, Inc.
NOW Communications, Inc.
O1 Communications of Colorado, LLC
OrbitCom, Inc.
Pacific Centrex Services, Inc.
PaeTec Communications, Inc.
PiperTel Communications, LLC
Preferred Carrier Services, Inc.
Premier Communications of Colorado, Inc.
Premier Communications, Inc.
QuantumShift Communications, Inc.
Rockynet.com, Inc.
Roxborough Broadband Cooperative, Inc.
RR Second Internet Cooperative Association
RRV Enterprises, Inc.
San Isabel Telecom, Inc.
SBC Telecom, Inc.
ServiSense.com, Inc.
Sovereign Telecommunications
Sprint Communications Company, LLP
S-Tel, LLC
SunWest Communications, Inc.
Supra Telecommunications and Information Services, Inc.
T3 Communications, LLC
Talk America, Inc.
TCG Colorado
Time Warner Telecom of Colorado, LLC
U.S. Online Communications, Inc.
Universal Access, Inc.
Upper Rio Grande Neighborhood Telecommunications, Inc.
VarTec Telecommunications, Inc.
Verizon Avenue Corp.
Winstar Communications, Inc.

Working Assets Funding Services, Inc.
XO Communications, Inc.
Xspedius Management Company of Colorado Springs, LLC
Z-Tel Communications, Inc.

Part 3 Carriers (Letter of Registration)

AmeriVision Communications, Inc.
ASC Telecom, Inc.
Bell Atlantic Communications, Inc.
Broadwing Communications, LLC
Buehner-Fry, Inc.
Business Telecom, Inc.
CenturyTel Long Distance, LLC
Cherokee Communications, Inc.
Cincinnati Bell Any Distance, Inc.
Colorado Communications Network, Inc.
Communicall, Inc.
Consolidated Communications Operator Services, Inc.
Custom Teleconnect, Inc.
Cypress Telecommunications Corp
Dancris Telecom, LLC
DIECA Communications, Inc.
DSLNet Communications, LLC
Electric Lightwave, Inc.
Ernest Communications, Inc.
Foxtel, Inc
Frontier Communications of America, Inc.
GCB Communications, Inc.
Global Crossing North America Network
Global Crossing Telecommunications, Inc.
Global Tel*Link Corp
Impact Telecommunications, Inc.
Inmate Phone Systems Corp
Inmate Telephone, Inc.
Intellicall Operator Services, Inc.
Interactive Communications Systems, Inc.
J & S Communications Consultants, LLC
Legacy Long Distance International, Inc.
MCI Worldcom Communications, Inc.
MCI Worldcom Network Services, Inc.
Metromedia Fiber Network Services, Inc.
Metropolitan Fiber Systems of Denver, Inc.
National Brands, Inc.
NCE Communications, Inc.
Network Communications International Corp
Network Operator Services, Inc.

New Edge Network, Inc.
New South Communications Corp.
NTS Communications, Inc.
One Call Communications, Inc.
Operator Communications, Inc.
Operator Service Co.
Outreach Communications, Ltd.
Pac-West Telecom
Paramount International
Phonetel Technologies, Inc.
Resort Network Services, LLC
SECOM
Southwestern Bell Communications Services, Inc.
Telecommunications Resources, Inc.
Teleconnect Long Distance Services & Systems, Inc.
T-Netix, Inc.
T-NETIX Telecommunications Services, Inc.
TransWorld Network Corp
United States Advanced Network, Inc.
U.S. TelePacific Corp
Unity Communications, Inc.
USLD Communications, Inc.
Value-Added Communications, Inc.
Verizon Select Services, Inc.
Westel, Inc.
Williams Communications, LLC

Toll Resellers

1-800-Reconnex, Inc.
360networks (USA) Inc.
3U TELECOM INC.
4DVision, LLC
@TRACJ COMMUNICATIONS, INC
A R C Networks Inc
AboveNet Communications, Inc.
ACC National Long Distance Corp
Acceris Communications Corp.
Access One Inc.
Access Point, Inc.
Accutel of Texas, Inc.
ACCXX Communications, LLC
ACN Communication Services, Inc.
Adelphia Telecommunications, Inc.
Advanced Communications
Advanced Nationwide

Advanced Integrated Technologies, Inc.
Advanced Telecommunications, Inc.
Advanced Tel, Inc.
Advanced Telemanagement Group, Inc.
Advantage Telecommunications Corp.
Affinity Network, Inc.
Affinity Telecom, Inc.
Affordable Voice Communications, Inc.
AFN Consultants, Inc.
AirCover Network Solutions, Inc.
Airespring, Inc.
Airnex Communications
AllCom USA, Inc.
Allegiance Telecom of Colorado, Inc.
Alliance Group Services, Inc.
Allied Riser of Colorado, Inc.
ALLTEL Communications Inc.
Alticom, Inc.
Amadeus Networks, LLC
Ambria, Inc.
America Long Distance, Inc.
AMERICA NET LLC
American Com, LLC
American Cyber Corporation
American Farm Bureau
American Fiber Network, Inc.
American Global Voice Mart, Inc.
American Long Lines, Inc.
American Phone Services Corp.
American Telephone and Internet Company
American Telecommunications Systems, Inc.
America's Digital Satellite Telephone, Inc.
americas.com Incorporated
Americatel Corporation
AmeriVision Communications, Inc.
Andiamo Telecom, LLC
Anthony Kinsey
Arch Wireless Holding
Arizona Telephony Brokers
ASC Telecom, Inc.
Associated Network Partners, Inc.
Association Administrators, Inc.
Atlas Communications, Ltd
ATX Telecommunications Services Inc.
Automated Telecom
Autotel

Axces International
Axius, Inc.
BAK Communications, LLC
BCN Telecom, Inc.
Bee Line Long Distance, LLC d/b/a Hello Telecom
Bell Atlantic Communications, Inc.
BellSouth Long Distance, Inc.
Better World Telecom, Inc.
Beulahland Communications, Inc.
Big Planet, Inc.
Blackstone Communications Corporation
Blanca Telephone Company
Blonder Tongue Telephone LLC
Brainstorm Industries, Inc.
Bresnan Broadband of Colorado, LLC
Broadview NP Acquisition Corp.
Broadwing Communications, LLC
BroadRiver Communication Corporation
BroadStream Corporation
BT Communications Sales LLC
Budget Call Long Distance, Inc.
Business Discount Plan Inc.
Business Network Long Distance, Inc.
Business Options, Inc.
Business Savings, Inc.
Business Telecom, Inc.
Buyers United, Inc.
Buzz Telecom Corporation
C III Communications, LLC
C. F. Communications, LLC
Call Center Management, Inc.
Capsule Communications Inc.
Cbeyond Communications, LLC
Centel Communications, Inc.
CenturyTel Long Distance, LLC
CLF. LLC
Choice Telco LLC
Christian Media Technologies, Inc.
CI2, Inc.
Ciera Network Systems, Inc.
CIMCO Communications, Inc.
Cincinnati Bell Any Distance Inc.
City-Link Telecommunications Inc.
CityNet Telecom, Inc.
Claricom Networks, Inc.
Clear World Communications Corporation

Coast International, Inc.
Cognigen Networks, Inc.
Coleman Enterprises, Inc.
Colorado Communications Network, Inc.
Colorado Teleserv, Inc.
Comcast Business Communications, Inc.
Comcast Phone of Colorado, LLC
Comm South Companies, Inc.
Communicate Technological Systems LLC
Communications Billing, Inc.
Communications Network Billing, Inc.
CompuConnection
Computer Network Technology Corporation
ComTech21 LLC
Comtel Network LLC
Concentric Carrier Services, Inc.
Connect America, Inc.
Consolidated Billing Provider LLC
Consolidated Communications Network Services, Inc.
Contact Communications, Inc.
Convergia, Inc.
Cooperative Communications, Inc.
Covista, Inc.
Cox Colorado Telecom, LLC
Cristel Telecom, Inc.
CTC Communications Corp
CTI Long Distance, Inc.
Custom Network Solutions Inc.
Custom Switching Technologies, Inc.
Custom Teleconnect, Inc.
Cypress Communications Operating Company, Inc.
Cypress Telecommunications, Inc.
D.D.D. Calling, Inc.
Daeo.Net, LLC
Dancris Telecom, L.L.C.
DCT Telecom Group, Inc.
DELTEL, INC.
Dialaround Enterprises Inc.
Dial-Thru, Inc.
Digital Express Communication Corporation
Digital Home Services, Inc.
Digizip.com, Inc.
Digital Telecommunications, Inc.
Direct Comm, Inc.
Direct One, L.L.C.
Direct Telephone Company, Inc.

Discount Network Services Inc.
Domino Networks Communications, Inc.
dpi-Teleconnect, L.L.C.
DSLnet Communications, LLC
E.Com Technologies, LLC
Eastern Colorado Independent Networks LLC
Eastern Telecommunications Incorporated
Eastern Slope Rural Telephone Assn Inc
Easton Telecom Services L.L.C.
ECI Communications, Inc.
Econodial, LLC
Electric Lightwave, Inc.
Elite Lightwave, Inc.
EliteView LLC
Emergent Communications, L.L.C.
eMeritus Communications, Inc.
Empire One Telecommunications, Inc.
Encompass Communications LLC
Enhanced Communications Group LLC
Enhanced Communications Network, Inc.
Enkido, Inc.
Entrix Telecom, Inc.
Epixtar Communications Corp.
Equal Access Communications, LLC
ERKAL VERTRAN LLC.
Ernest Communications, Inc.
Esodus Communications, Inc.
eStar Communications, Inc.
Excel Telecommunications, Inc.
Exergy Group, LLC
ExOp of Missouri, Inc.
EZ Phone, Inc.
EZ Talk Communications, LLC
FairPoint Carrier Services, Inc.
Farmers Telephone Company Inc
FAST PHONES, INC.
FastTrack Communications, Inc.
Federaltranstek, Inc.
FiberLink Connection, LLC
Fone.net, LLC
Fon Digital Network, Inc.
Fox Communications Corporation
FoxTel, Inc.
Franz, Inc.
FreedomStarr Communications, Inc.
Frontier Communications of America, Inc.

Fundamental Holdings Corporation
Futurum Communications Corporation
Gates Communications, Inc.
GE Business Productivity Solutions, Inc.
Global Communications Consulting Corp.
Global Connection Inc. of America
Global Crest Communications, Inc.
Global Crossing North American Networks, Inc.
Global Crossing Telecommunications, Inc.
Global Tel*Link Corp
Globalcom, Inc.
Go Solo Technologies, Inc.
Gold Line Telemanagement, Inc.
Grande Communications Networks, Inc.
Granite Telecommunications, LLC
Group Long Distance, Inc.
GTC Telecom Corp
Horizon Telecom, Inc.
IBGH Communications, LLC
I-Link Communications, Inc.
iLOKA Inc.
ImaginetCommunications, LLC
Impact Telecommunications, Inc.
Infone LLC
Infonet Telecommunications Corporation
Inmark, Inc.
Inmate Communications Corporation
Inmate Phone Systems Corp
Intellicall Operator Services Inc
Interlink Advertising Services, Inc.
Intermedia Communications Inc
International Exchange Communications, Inc.
International Telcom Ltd.
Inter-Tel NetSolutions
Ionex Communications North, Inc.
ITC^DeltaCom Communications, Inc.
JirehCom, Inc.
Joseph B. McNeal
JPJ Hunter
JpLowry,LLC
KDDI America, Inc.
Kiger Telephone & Telephony, LLC
KMC Telecom V, Inc.
Kouso Communications, LLC
LCR Telecommunications, LLC
Least Cost Routing, Inc.

Legacy Long Distance International, Inc.
Legent Communications Corporation
Leucadia National Corporation
Level 3 Communications, LLC
Lightyear Network Solutions, LLC
Lightyear Telecommunications LLC
Local Telecom Holdings, LLC
Long Distance Consolidated Billing Co.
Long Distance of Michigan, Inc.
Long Distance Wholesale Club
Lotel Inc.
LSSi Corporation
LTE Communications Services Inc.
M & J Investments, Inc.
Main Street Telephone Company
Matrix Telecom, Inc.
McGraw Communications, Inc.
MCI WorldCom Communications, Inc.
McLeodUSA Telecommunications Services, Inc.
MCLLC
Mercury Long Distance
Metropolitan Telecommunications of Colorado, Inc.
Miko Telephone Communications, Inc.
Miracle Communications, Inc.
MMG Holdings, Inc.
Motion Telecom, Inc.
Multiband Communications, Inc.
National Access Long Distance, LLC
National Directory Assistance, LLC
National Telephone Co., L.L.C.
NECC Telecom, Inc.
Net One International, Inc.
Netlojix Telecom Inc.
Netpro Services,
Network Billing Systems
Network Communications International Corp.
Network US, Inc.
NetworkIP, LLC
New Access Communications LLC
New Century Telecom, Inc.
NobelTel, LLC
Northern Colorado Communications, Inc.
Norlight Telecommunications, Inc.
Norstan Network Services, Inc.
NorVergence, Inc.
NOS Communications, Inc.

NOSVA Limited Partnership
NOW Communications, Inc.
NTCH-Colorado, Inc.
NTERA, INC.
NTS Communications Inc.
NTT America, Inc.
NuVox Communications, Inc.
NYNEX Long Distance Company
OCMC, Inc.
OLS, Inc.
One Call Communications, Inc.
OneLink Communications, Inc.
OneStar Communications, LLC
OneStar Long Distance, Inc.
Operator Communications, Inc.
Operator Service Company
OPEX Communications, Inc.
Optical Telephone Corporation
OrbitCom, Inc.
Orion Telecommunications Corp
Pacific Centrex Services, Inc.
PaeTec Communications, Inc.
Pannon Telecom, Inc.
Phillips County Communications, LLC
Phillips County Telephone Company
Phone1, Inc.
Phonesmart, Inc.
Phonetel Technologies, Inc.
PiperTel Communications, LLC
Plains Cooperative Telephone Assoc Inc
PNG Telecommunications, Inc.
POPP Communications
Power-Finder West Communications, LLC
Preferred Carrier Services, Inc.
Premier Telecom, Inc.
Primus Telecommunications, Inc.
ProNet Communications, Incorporated
Protel Advantage Inc.
PSINET, INC.
PT-1 Communications Inc.
PT-1 Long Distance
Public Interest Network Services, Inc.
QAI, Inc.
Quality Telephone, Inc.
QuantumShift Communications, Inc.
Quasar Communications Corporation

Quest Communications
Quick Tel, Inc.
Quicksilver Connect Inc.
ReachOne Inc.
Red River Networks, LLC
Reduced Rate Long Distance, LLC
Reliant Communications, Inc.
Resort Network Services, LLC
Ridley Telephone Company, LLC
Roggen Telephone Cooperative Company
RRV Enterprises, Inc.
Rye Telephone Company
Scott Savoie
ServiSense.com, Inc.
Shared Communications Services, Inc.
Sigma Networks Telecommunications, Inc.
SILV COMMUNICATIONS, INC.
SmartStop, Inc.
SNET America Inc.
SNiP Link, LLC
Southwest Communications, Inc.
Southwestern Bell Communications Services, Inc.
SSC Holdings, LLC
Special Accounts Billing Group, Inc.
St Enterprises
ST Long Distance, Inc.
Starpower Communications LLC
Startec Global Licensing Company
Sterling International Funding, Inc.
Suburban Access, LLC
SunWest Communications, Inc.
TAC License Corp.
Talk America Inc.
TCPB Marketing Company, Ltd.
Tcomm of Colorado, LLC
TDS Long Distance Corporation
Tel-America of Salt Lake City, Inc.
Tel West Communications, Inc.
Telco Partners, Inc.
Telcom Billing Services, Inc.
Tele Circuit Network Corporation
Telec, Inc.
Telecare, Inc.
TeleCents Communications, Inc.
Telecom Acquisition Company, LLC
Telecom House, Inc.

Telecom Management, Inc.
Telecom Resources, Inc.
TelecomEZ Corporation
Telecommunications Resources, Inc.
Teleconnect Long Distance Services & Systems, Inc.
TELEDIAS Communications, Inc
Telegenius, Inc.
Teleglobe America, Inc.
Teleglobe USA Inc.
Telemanagement Systems, Inc.
Telenational Communications, Inc.
TeleUno, Inc.
Teligent Services, Inc.
Telliss, LLC
Telmex USA LLC
Telrite Corporation
TERACA CORPORATION
The Free Network, LLC
The Peetz Co-operative Telephone Company
Threshold Communications, Inc.
TLX Communications, Inc.
TMC Communications of Delaware, Inc.
Total Call International, Inc.
Touch 1 Communications Inc.
Touchtone Communications, Inc.
Tralee Telephone Company, LLC
Trans National Communications International, Inc.
Transcom Communications, Inc.
TransWorld Network Corp.
Tri-M Communications, Inc.
Trivergent Communications, Inc.
TTI National, Inc.
TVMAX Telecommunications, Inc.
Twin City Capital, L.L.C.
U S West Long Distance, Inc.
U.S. Telecom Long Distance, Inc.
Uintah Basin Long Distance
Uintah Basin Electronics Telecommunications, Inc.
United American Technology, Inc.
United Communications Hub Inc.
United States Advanced Network, Inc.
United Systems Access Telecom, Inc.
Unity Business Networks, LLC
Unity Communications, Inc.
Univance Telecommunications, Inc.
Universal Access, Inc.

URJET Backbone Network, Inc.
USA Digital Communications, Inc.
USA Telecommunication Corporation
US Fibercom, Inc.
US LEC Communications Inc.
USLD Communications, Inc.
USURF Communications, Inc.
UTEL, Inc.
Utility Telephone, Inc.
Valor Telecommunications CLEC of Colorado LLC
VarTec Telecom, Inc.
VCI Company
Verizon Avenue Corp.
Verizon Select Services Inc.
Vi Lata Communications, LLC
Vista Access, LLC
VIVO-CO, LLC
Voicecom Enterprises, Inc.
Voicecom Telecommunications, LLC
VoiceNet Telephone, LLC
Vycera Communications, Inc.
W2Com International, LLC.
Wasichaq, LLC
WaveSent, LLC
Wayne Anthony Watkins
WDT World Discount Telecommunications Co.
WebNet Communications, Inc.
West Direct, Inc.
Westel, Inc.
Western CLEC Corp.
Western Communications Systems, Inc. d/b/a/ Wescomm
Western Wireless Holding Co., Inc.
Weston Telecommunications, LLC
Wholesale Carrier Services, Inc.
Wideopenwest Colo, LLC
WilTel Communications, LLC
WilTel Local Network, LLC
Winstar Communications, LLC
Working Assets Funding Service, Inc.
World Communications Satellite Systems, Inc.
WorldxChange Corp
WWC Holding Co., Inc.
X2Comm, Inc.
Xtension Services, Inc.
Yak Communications (America) Inc.
Yipes Enterprise Services, Inc.

Yipes Transmission, Inc.
Zone Telecom Inc.
Z-Tel Communications, Inc.
Zenith Communications Management, LLC
Zoom-i-Net Communications, Inc.

**Wireless Providers Certified with Eligible Provider (EP) or Eligible Telecommunications
Carrier (ETC) Status**

Western Wireless Corporation
Northeastern Colorado Cellular

Providers With Interconnection Agreement (No Tariff)

Allo Communications
Forethought.net
Houlton Enterprises
HAS Telecom Operating Co. Inc.
Kentec Communications, Inc.
LSSi Corp.
Metro Internet Assoc.
Montrose Internet
Mountain Computer Wizard
New Age Electronics
New Edge Network
PowerNet Global Telecomm
Premiere Network Services, Inc.
Quality Telephone, Inc.
Reflex Communications, Inc.
RuralWest – Western Rural Broadband
Southeast Power Assoc.
Zippy Tech, Inc.
ACI Corp. dba Accelerated Connections
Broadband Solutions, Inc.
Computer Bus Services
Dakota Services, Ltd.
Golden Voice
New Edge Network, Inc.
SelectPath of Colorado, Inc.
Seren Innovations, Inc.

SUPPLEMENTAL PROTECTIVE ORDER

Highly Confidential Information:

Any person, whether a party or non-party, may designate certain competitively sensitive Confidential Information as “Highly Confidential Information” if it determines in good faith that it would be competitively disadvantaged by the disclosure of such information to its competitors. Parties must scrutinize carefully responsive documents and information and limit their designations as Highly Confidential Information to information that truly might impose a serious business risk if disseminated without the heightened protections provided in this section. The first page and individual pages of a document determined in good faith to include Highly Confidential Information must be marked by a stamp that reads:

“HIGHLY CONFIDENTIAL—USE RESTRICTED PER PROTECTIVE ORDER IN DOCKET NO. 04M-435T.”

Placing a “Highly Confidential” stamp on the first page of a document indicates only that one or more pages contain Highly Confidential Information and will not serve to protect the entire contents of a multi-page document. Each page that contains Highly Confidential Information must be marked separately to indicate Highly Confidential Information, even where that information has been redacted. The unredacted versions of each page containing Highly Confidential Information, and provided under seal, should be submitted on paper distinct in color from non-confidential information and “confidential information.”

Parties seeking disclosure of Highly Confidential Information must designate the person(s) to whom they would like the Highly Confidential Information disclosed in advance of disclosure by the providing party. Such designation may occur through the submission of Exhibit “A” of the non-disclosure agreement which is attached hereto and incorporated herein. Parties seeking disclosure of Highly Confidential Information shall not designate more than (1) a reasonable number of in-house attorneys who have direct responsibility for matters relating to

Highly Confidential Information; (2) two in-house experts; and (3) a reasonable number of outside counsel and outside experts to review materials marked as “Highly Confidential.” The Exhibit “A” also shall describe in detail the job duties or responsibilities of the person being designated to see Highly Confidential Information and the person’s role in the proceeding. Highly Confidential Information may not be disclosed to persons engaged in developing, planning, marketing, or selling retail or wholesale services, strategic or business planning, competitive assessment, or network or system planning or procurement on behalf of the receiving party.

Any party, providing Highly Confidential Information may object to the designation of any individual as a person who may review Highly Confidential Information. Such objection shall be made in writing to counsel submitting the challenged individual’s Exhibit “A” within three (3) business days after receiving the challenged individual’s signed Exhibit “A.” Any such objection must demonstrate good cause to exclude the challenged individual from the review of the Highly Confidential Information. Written response to any objection shall be made within three (3) business days after receipt of an objection. If after receiving a written response to a party’s objection, the objecting party still objects to disclosure of Highly Confidential Information to the challenged individual, the Commission shall determine whether the Highly Confidential Information must be disclosed to the challenged individual.

Copies of Highly Confidential Information may be provided to the in-house attorneys, outside counsel and outside experts. The in-house experts who have signed and Exhibit “A” may inspect review, and make notes from the in-house attorney’s copies of Highly Confidential Information.

Persons authorized to review the Highly Confidential Information will maintain the documents and any notes reflecting their contents in a secure location to which only designated counsel and experts have access. No additional copies will be made, except for use during hearings. Any testimony or exhibits prepared that reflect Highly Confidential Information

must be maintained in the secure location until removed to the hearing room for production under seal and under circumstances that will ensure continued protection from disclosure to persons not entitled to review Highly Confidential Information.

Unless specifically addressed in this section, all other sections of the Commission's Confidentiality Rule 4 CCR 723-16 shall apply.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04M-435T

IN THE MATTER OF THE INVESTIGATION OF COMPETITION IN COLORADO'S
TELECOMMUNICATIONS MARKET.

EXHIBIT "A"

HIGHLY CONFIDENTIAL INFORMATION

I have read the Supplemental Protective Order dated August 18, 2004,
in Docket No. 04M-435T and agree to be bound by the terms and conditions of this Order.

Name

Employer

Job Title and Job Description

Business Address

Party

Signature

Date