

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-359AT

**IN THE MATTER OF THE APPLICATION OF COLORADO TELESERV, INC. DOING
BUSINESS AS ROCK SOLID BROADBAND TO DISCONTINUE OR CURTAIL
JURISDICTIONAL TELECOMMUNICATIONS SERVICE.**

TRANSITION PLAN

The following Transition Plan (the "Plan") provides that the customers currently served on the billing account numbers ("BANs") of Colorado Teleserv, Inc. d/b/a Rock Solid Broadband ("CTI") will receive written notice that they may choose another local and long distance service provider and that those who do not choose another provider in accordance with the Plan, will be transferred to the provider of last resort, Qwest Corporation ("Qwest"), as the default provider designated by the Colorado Public Utilities Commission ("Commission") in accordance with Rule 723-25-7.6 (g). This Plan is necessary to ensure continuity of service for the customers served on CTI's BANs because CTI is discontinuing telecommunications service in Colorado.

I. INTRODUCTION

1. On July 9, 2004 CTI filed the application captioned above seeking to discontinue providing Local Exchange Telecommunications Services and Emerging Competitive Telecommunications Services in Colorado.¹

2. Approximately 515 customers are receiving local and long-distance telephone service on CTI's BANs. FRHC, Inc., f/k/a Frank Ramogida Holdings, Inc., d/b/a Rock Solid

¹ CTI's Application In the Matter of the Application of Colorado Teleserv, Inc. Doing Business as Rock Solid Broadband to Discontinue or Curtail Jurisdictional Telecommunications Service, Docket No.04A-359AT.

Broadband (“FRHC”) states in its intervention in this docket that it has been servicing these customers, who number about 250 now, for some time. The remaining approximately 264 customers on CTI’s BANs may be former Omnetrix International, Inc. d/b/a the Home Phone Company, (“OMXI”) customers who were never transitioned to other providers or the default provider pursuant to Commission order in Docket No. 04A-058AT. All customers of regulated telephone services who currently reside on CTI’s BANs will be disconnected and must be transitioned according to the Plan.

3. The following Plan has been developed to provide the operational steps and procedural safeguards necessary for the Commission to approve CTI’s Application to discontinue the provision of telephone service to its Colorado customers and to customers in Colorado served on CTI’s BANs, while ensuring that all these customers maintain continuity of basic phone service, and at the same time, considering Qwest’s financial and operational interests in a timely transition.

II. THE TRANSITION PLAN FOR CTI CUSTOMERS

1. The transition period will be approximately seventy-five (75) calendar days, beginning with the mailing of customer notice of CTI’s intent to exit the market (the “Notice Letters”) within ten (10) calendar days of the effective date of the Commission’s Order approving this Application, and ending on the date the last customer served on CTI’s BANs is transferred to the default provider. The first forty-five (45) days of the transition period provide an opportunity for customers to be given notice of the CTI’s exit from the market and an opportunity to choose another local and long-distance service provider (CTI d/b/a Rock Solid Broadband is providing both local and long-distance services to these customers). Between ten (10) and fifteen (15) calendar days of the effective date of the Order, Qwest shall mail written

notice to customers served on CTI's BANs describing Qwest's role as default provider in accordance with the Plan and in compliance with 47 CFR § 64.1120(e)(3). See Attachment C, Qwest Notice Letter (without attachments). After this notice period, customers, who either did not choose another provider and who made any necessary acceptable payment arrangements with Qwest for a prior unpaid bill, will be transitioned to the default provider to ensure continuity of service. At any time during and after the transition period, customers may change providers if they wish.

2. Since about 264 customers served on CTI's BANs may believe they are still customers of OMXI d/b/a The Home Phone Company, a separate customer notice letter will be sent to them by CTI/FRHC. This letter is included as Attachment B. Other than a different notice letter to OMXI customers and eliminating the requirement to send notices to the local government officials for OMXI customers, this Plan will be implemented in the same manner and with the same timeframes as for the other customers served on CTI's BANs.

3. In accordance with Commission Rule 4 CCR 723-25-7.6(g), and because Qwest is the provider of last resort for the area served by CTI under Commission Rule 4 CCR 723-42, the Commission will designate Qwest as the default provider for those CTI customers who do not choose another provider.

4. Within ten (10) calendar days following the effective date of the Order approving the Application, CTI/FRHC will send the applicable attached Notice Letters and List of Alternative Providers (Attachments A and B) to customers served on CTI's BANs via First Class Mail. These Notice Letters contain the information required by 4 CCR 723-25-7.6, but have been modified as described below. In addition, CTI/FRHC will mail by separate First Class Mail a notice to the board of county commissioners of each affected county, and the mayor of each

affected city, town, or municipality. Within three (3) business days after the Notice Letters have been provided to all customers on CTI's BANs, CTI/FRHC will file with the Commission an affidavit attesting to the date on which notice was provided, the method used to give notice and which letter was mailed to which customers. CTI/FRHC shall also include a sample copy of each notice given.

5. The Notice Letters modify the Form A customer notice required by Commission Rule 4 CCR 723-25-7.7, and the list of alternative providers is a modification of the latest Commission jurisdictional list (see Rule 4 CCR 723-25-7.6(d)) to reflect current circumstances. See Attachments A and B. The Form A contemplates customer notice being sent prior to any proceeding concerning the Application to Discontinue Providing Regulated Telecommunications Services and gives notice to the exiting competitive local exchange carrier's ("CLEC's") customers of the opportunity to participate in that proceeding. However, the Notice Letters are being sent after Commission approval of the Application, requiring the modifications. Also, the Commission's jurisdictional list of providers has been modified to include only those local exchange providers ready, willing and able to provide local service to customers at the time of the hearing in this docket.

6. Qwest shall send a notice to customers on CTI's BANs between ten (10) and fifteen (15) calendar days after the effective date of the Commission's Order approving the Application and the Plan, but not less than thirty (30) days prior to transferring any customer served on CTI's BANs to Qwest. Qwest's notice shall describe its role as default provider and comply with FCC rules, 47 CFR § 64.1120, by including:

- a. The date on which Qwest will become the customer's provider of telecommunications service under the Transition Plan;

- b. The rates, terms, and conditions of the service(s) to be provided by Qwest upon the customer's default to Qwest's service, and the means by which Qwest will notify the customer of any change(s) to these rates, terms, and conditions;
- c. Qwest will waive any carrier change charges associated with the transfer to Qwest;
- d. The customer's right to select a different preferred carrier for the telecommunications service(s) at issue, if an alternative carrier is available;
- e. All customers receiving the notice, even those who have arranged preferred carrier freezes through CTI on the service(s) involved in the transfer, will be transferred to Qwest, unless they have selected a different carrier before the transfer date; existing preferred carrier freezes on the service(s) involved in the transfer will be lifted; and the customers must contact their new local service provider to arrange a new freeze;
- f. Whether Qwest will be responsible for handling any complaints filed, or otherwise raised against CTI/FRHC prior to or during the transfer; and,
- g. Qwest's toll-free customer service telephone number.

7. When CTI/FRHC sends the customer notices, it shall also file with the Commission as a non-confidential exhibit in this docket, the published subscriber list information of its customers in paper and electronic form, including name, address, and telephone number, to permit other CLECs to solicit those customers who are not on the Colorado or national do-not-call lists. Commission Staff shall provide the subscriber list upon request of a CLEC on the Commission's Jurisdictional List of Telecommunications Providers. If CTI/FRHC fails to file this information as required, then Qwest shall file with the Commission the published

subscriber list information obtained from Qwest wholesale operations authorized in Paragraph 8 below.

8. Qwest wholesale operations shall be authorized and ordered to provide Qwest retail operations the necessary information for Qwest retail operations to satisfy its obligations as defined in the Plan.

9. Not less than thirty (30) days after Qwest provides its Notice Letter, included as Attachment C (without attachments) to the Plan, to CTI's customers, Qwest will begin migrating CTI customers who have no unpaid indebtedness to Qwest for jurisdictional services and who did not choose another provider. This transfer of CTI customers to Qwest's service shall occur without interruption of service and with their current features and enhanced services, as feasible, and at the current Qwest rates. With the exception of those customers whose presubscribed long-distance carrier is CTI d/b/a Rock Solid Broadband, customers will retain their existing inter and intraLATA carriers and these presubscribed carriers will remain unchanged unless and until a change is requested by the customer. If a customer is currently presubscribed to CTI long-distance service, is defaulted to Qwest local service, and does not choose another 1+ presubscribed carrier, that customer will be assigned to a similar Qwest long-distance plan. There will be no charge imposed by Qwest or CTI to customers for changing telecommunications service to another carrier as a result of the discontinuance of service.

10. Based on CTI's estimate that it has about 515 customers, including those that may have been OMXI customers, and anticipating a certain percentage choosing another provider, Qwest estimates it will require about thirty (30) days to migrate the remaining customers to Qwest service. If Qwest experiences unforeseen difficulties in completing the migration process by the end of this transition period, Qwest will notify CTI and the Commission.

11. Not less than thirty (30) days after Qwest provides its Notice Letter to CTI's customers, Qwest will make one (1) attempt to contact any customer, by telephone, that owes a final bill for jurisdictional services to Qwest from a previous account, and leave a message to contact Qwest regarding their telephone service if the company does not reach them personally. If Qwest neither reaches such customer nor leaves a message on the first attempt, Qwest will make a second attempt to reach them on a different day and at a different time. If a customer communicates with Qwest and does not make arrangements, which are satisfactory to Qwest, to reconcile the customer's final bill amount for jurisdictional services, Qwest will inform the customer that Qwest will not accept the account under those circumstances, that the customer must seek service from another provider prior to the time when CTI discontinues service, and that Qwest will not furnish the customer local service unless arrangements to reconcile such final bill are made. Without regard to whether Qwest is able to communicate with a customer, it will not be required to provide service to a customer who fails to satisfy or reach an agreement acceptable to Qwest to satisfy an outstanding final bill for jurisdictional services. Not less than thirty (30) business days following the mailing of the last Qwest notice letter, Qwest will file with the Commission the number and percentage of customers who were not defaulted to Qwest due to an unresolved outstanding bill for jurisdictional services as well as the date that the last CTI customer was transitioned to Qwest or disconnected from CTI.

12. Not later than thirty (30) days after customers are migrated, Qwest will send its Welcome Letter to those customers confirming that Qwest is now their service provider, and confirming the customer's service, products, features, including long-distance as applicable, and their associated rates. See Attachment D.

13. CTI will cease providing local exchange and emerging competitive telecommunications service in Colorado at the end of the transition period. In any event, once a CTI customer has been transferred to Qwest or to another provider selected by the customer, Qwest will cease billing CTI for wholesale services for that customer.

14. If CTI holds deposits for service from customers, it will refund the deposit and provide an affidavit to the Commission confirming the return of the deposits by the date determined by the Commission. The affidavit will include each customer's name, address, telephone number and the amount of the deposit returned and the date it was returned.

15. If any customer has prepaid CTI for service, and CTI has not provided the customer with such service, CTI will refund the customer its advance for service. CTI will provide an affidavit to the Commission confirming the refund of any advances to customers by the date determined by the Commission. The affidavit will include each such customer's name, address, telephone number, the amount of the refund, and the date the refund was mailed.

16. CTI shall not bill any customers for services rendered after the date Qwest reports that such customer has been disconnected from CTI's service. CTI will refund any overpayments within thirty (30) days after the customer is disconnected from its service.

17. CTI shall relinquish its CPCN and its Letter of Registration, and CTI's tariff(s) shall be canceled simultaneous with the disconnection of the last customer from CTI's service. No further filing will be required to effectuate the withdrawal of CTI's tariffs on file with the Commission, and the Commission's records will be updated at that time to reflect the withdrawal.

18. If CTI wishes to offer regulated telecommunications service in the future, it may file a new CPCN application and tariff with the Commission.

19. CTI and FRHC shall cooperate fully with Commission Staff, the OCC and the default provider, Qwest, in implementing this Plan. In the event that CTI or FRHC cannot comply with any aspect of the Transition Plan, the company(s) shall inform the Commission and the parties as soon as possible.

Attachment A

**COLORADO TELESERV DOING BUSINESS AS ROCK SOLID BROADBAND WILL
STOP PROVIDING LOCAL AND LONG-DISTANCE TELEPHONE SERVICE IN
COLORADO**

Dear Customer,

Rock Solid Broadband has received approval from the Colorado Public Utilities Commission (PUC) to stop providing you with local and long-distance telephone service on or about **XXXX XX, 2004**. Due to financial difficulties, Rock Solid Broadband has ceased operating as a telephone company in Colorado. You have two options to maintain telephone service:

1. Before **YYYY YY, 2004**, you can sign up with another telephone company of your choice (see attached list of other telephone companies prepared by the PUC and the Office of Consumer Counsel) and keep your current telephone number and features, as feasible; or,
2. Your service will be transferred automatically to Qwest, the default provider designated by the PUC, to ensure your service is not disrupted. The transfer will occur between **YYYY YY and XXXX XX, 2004**. Neither Qwest nor Rock Solid Broadband will charge you to transfer your service.

If you are also a Rock Solid Broadband long-distance customer, you may choose another long-distance provider before **YYYY YY, 2004**, or you will be transferred to a similar Qwest long-distance plan. If you are currently a customer of a long distance company other than Rock Solid Broadband, your long distance provider will remain unchanged unless and until you request a change.

Please be aware that if you do not choose another provider and you are transferred to Qwest, you will receive the same telephone number and the same service and features that you have now, except they will be provided under Qwest's terms and conditions and Qwest's rates.

Depending on your credit history, Qwest may charge you a deposit. **Please note: If you owe Qwest a previous bill for regulated services like local phone service, you must either pay Qwest what is owed, make acceptable payment arrangements, or choose another provider to ensure your service is continued without disruption.**

You may call Qwest at 800-244-1111 (residential customers) or 800-603-6000 (business customers) to discuss a previous bill, choose another long-distance carrier or for any other questions you might have if you are transitioning your local service to Qwest.

Please be assured that if your service is transferred to Qwest, you are free to choose a different local or long distance provider at any time.

Colorado Teleserv, Inc.dba Rock Solid Broadband

LIST OF ALTERNATIVE LOCAL TELEPHONE SERVICE COMPANIES

August 27, 2004

Company	Telephone Number	Service Offerings	Website
ACN Communications	1-866-864-3822	Residential	www.acninc.com
Affinity/C-Com	1-800-301-0788	Residential and Business	www.c-comld.com
CCI	1-888-477-1224	Residential and Business	www.ccitelecom.com
Comcast Serving Denver Metro only	1-800-266-2278	Residential	www.comcast.com
EV Communications Serving Denver Metro, Ft. Collins, Greeley, Boulder and Colorado Springs	1-866-403-8266	Residential and Business	www.evcommunications.com
Excel Telecommunications	1-877-392-3548	Residential	www.excel.com
Liberty Bell Telecom	1-866-664-2355	Residential and Business	www.libertybelltelecom.com
LightYear Network Solutions	1-877-295-4200	Residential	www.lightyearcom.com
MCImetro	1-877-777-6271	Residential	www.mci.com
	1-800-624-7766	Business	
McLeodUSA	1-800-909-3012	Residential and Business	www.mcleodusa.com
New Access	1-877-613-7487	Residential	www.newaccess.cc
New Century DataCom Serving the Western Slope	970-248-0188	Residential and Business	www.ncdc.biz
Qwest	1-800-244-1111	Residential	www.qwest.com
	1-800-603-6000	Business	
SBC Telecom	1-877-430-7228	Residential and Business	www.sbctelecom.com
LTE Communications/ Telecom Affiliates	1-800-754-1001	Residential and Business	www.telecomaffiliates.com www.ltecommunications.co
Touch Home Phone	1-877-222-2152	Residential and Business	www.gettouch.net
VarTec Telecom	1-888-370-1012	Residential	www.vartec.com

ATTACHMENT B

OMNETRIX (D/B/A THE HOME PHONE COMPANY) AND COLORADO TELESERV, INC. (D/B/A ROCK SOLID BROADBAND) WILL STOP PROVIDING LOCAL AND LONG-DISTANCE TELEPHONE SERVICE IN COLORADO

Dear Customer,

Your local telephone company, whether it is the Home Phone Company or Rock Solid Broadband, has received approval from the Colorado Public Utilities Commission (PUC) to stop providing you with local telephone service. Due to financial difficulties, your local telephone company will cease operating as a telephone company in Colorado. You have two options to maintain telephone service:

1. Before **YYYY YY, 2004**, you can sign up with another telephone company of your choice (see attached list of other telephone companies prepared by the PUC and the Office of Consumer Counsel) and keep your current telephone number, and features, as feasible; or,
2. Your service will be transferred automatically to Qwest, the default provider designated by the PUC, to ensure your service is not disrupted. The transfer will occur between **YYYY YY**, and **XXXX XX, 2004**. Neither Qwest nor the Home Phone Company or Rock Solid Broadband will charge you to transfer your service.

If you are also a Home Phone Company or Rock Solid Broadband long-distance customer, you may choose another long-distance provider before **YYYY YY, 2004**, or you will be transferred to a similar Qwest long-distance plan. If you are currently a customer of a long-distance company other than Home Phone Company or Rock Solid Broadband, your long-distance provider will remain unchanged unless and until you request a change.

Please be aware that if you do not choose another provider and you are transferred to Qwest, you will receive the same telephone number and the same service and features that you have now, except they will be provided under Qwest's terms and conditions and Qwest's rates.

Depending on your credit history, Qwest may charge you a deposit. **Please note: If you owe Qwest a previous bill for regulated services like local phone service, you must either pay Qwest what is owed, make acceptable payment arrangements, or choose another provider to ensure your service is continued without disruption.**

You may call Qwest at 800-244-1111 (residential customers) or 800-603-6000 (business customers) to discuss a previous bill, choose another long-distance carrier, or for any other question you might have if you are transitioning your local service to Qwest.

Please be assured that if your service is transferred to Qwest, you are free to choose a different local or long-distance provider at any time.

Colorado Teleserv, Inc. d/b/a Rock Solid Broadband

LIST OF ALTERNATIVE LOCAL TELEPHONE SERVICE COMPANIES

August 27, 2004

Company	Telephone Number	Service Offerings	Website
ACN Communications	1-866-864-3822	Residential	www.acninc.com
Affinity/C-Com	1-800-301-0788	Residential and Business	www.c-comld.com
CCI	1-888-477-1224	Residential and Business	www.ccitelecom.com
Comcast Serving Denver Metro only	1-800-266-2278	Residential	www.comcast.com
EV Communications Serving Denver Metro, Ft. Collins, Greeley, Boulder and Colorado Springs	1-866-403-8266	Residential and Business	www.evcommunications.com
Excel Telecommunications	1-877-392-3548	Residential	www.excel.com
Liberty Bell Telecom	1-866-664-2355	Residential and Business	www.libertybelltelecom.com
LightYear Network Solutions	1-877-295-4200	Residential	www.lightyearcom.com
MCImetro	1-877-777-6271	Residential	www.mci.com
	1-800-624-7766	Business	
McLeodUSA	1-800-909-3012	Residential and Business	www.mcleodusa.com
New Access	1-877-613-7487	Residential	www.newaccess.cc
New Century DataCom Serving the Western Slope	970-248-0188	Residential and Business	www.ncdc.biz
Qwest	1-800-244-1111	Residential	www.qwest.com
	1-800-603-6000	Business	
SBC Telecom	1-877-430-7228	Residential and Business	www.sbctelecom.com
LTE Communications/ Telecom Affiliates	1-800-754-1001	Residential and Business	www.telecomaffiliates.com www.ltecommunications.co
Touch Home Phone	1-877-222-2152	Residential and Business	www.gettouch.net
VarTec Telecom	1-888-370-1012	Residential	www.vartec.com

ATTACHMENT C
QWEST NOTICE LETTER TO CTI CUSTOMERS

**COLORADO TELESERV, INC. DOING BUSINESS AS ROCK SOLID BROADBAND IS
CEASING TO PROVIDE LOCAL TELEPHONE SERVICE IN COLORADO**

Dear Customer,

Rock Solid Broadband has received approval from the Colorado Public Utilities Commission (PUC) to stop providing you with local telephone service. Due to financial difficulties, Rock Solid Broadband will cease operating as a telephone company in Colorado within the next 30 to 60 days. You should have recently received a letter from Rock Solid Broadband explaining your options and informing you that Qwest will become your provider on or about XXXX XX, 2004, if you have not chosen an alternative provider prior to that time and if you do not have any prior unpaid bills to Qwest for regulated services. As part of this arrangement, Qwest will be receiving your account information from Rock Solid Broadband.

To maintain continuity of your telephone service, the PUC ordered Qwest as the default provider to transfer you from Rock Solid Broadband to Qwest local service. If you are currently a customer of a long distance company other than Rock Solid Broadband, your long distance provider will remain unchanged unless and until you request a change. Even if you are transferred to Qwest as the default provider, you may at any time choose another provider. For your convenience, the PUC and the Office of Consumer Counsel have prepared the attached list of alternative providers from whom you may choose. If you had asked Rock Solid Broadband for a preferred carrier freeze on your local and/or long distance services, those freezes have been lifted in the transfer process. If you are transferred to Qwest, please contact Qwest at the number below if you would like to institute a new freeze on any of your new service providers, otherwise please contact your new local service provider.

As ordered by the PUC, you will be transferred to Qwest service, at no charge to you, with the same telephone number and, to the extent possible, the same services and features that you have now, except they will be provided under Qwest's terms and conditions and Qwest's rates. A copy of Qwest's price list is enclosed with this letter. Once your service has been transferred, you will receive a Welcome Letter from Qwest, informing you of your new services and features. If you

have any questions about the services or features identified in your Welcome Letter, please call Qwest at the 800 number listed below.

Depending on your credit history, Qwest may charge you a deposit. **Please note:** if you owe Qwest a previous bill for local telephone service, before Qwest will transfer your account, you must either pay Qwest what is owed, make acceptable payment arrangements, or choose another provider to ensure your service is continued without disruption.

You may call Qwest at 800-244-1111 to discuss a previous Qwest residential bill, choose another long-distance carrier, or for any other questions you might have including questions about Qwest's rates, terms and conditions for service. For a previous Qwest business bill, or to choose another business long-distance carrier, or for any other business service questions you might have, you may call Qwest at 800-603-6000.

Please be assured that your transfer to Qwest service, as ordered by the PUC, in no way prevents you from choosing a different local service provider at any time. If you have any questions or complaints regarding your service with Rock Solid Broadband, please either call Rock Solid Broadband directly, or the Colorado Public Utilities Commission at 303-894-2070 or if outside of the Denver metro area at 1-800-456-0858.

By: _____

ATTACHMENT D

QWEST'S WELCOME LETTER

March 26, 2004



**THANK YOU FOR
YOUR ORDER!**

Please check the services listed here and make sure they are correct. If you need to make changes, or have any questions about your order, please call 1-800-244-1111 and refer to:

Your order date: {01-01-00}

Your order number: {0000000000}

ORDER CONFIRMATION

You have ordered these services for:
(360) 574-1111

Your per-month charges will be:

Qwest Choice™ Home \$35.99

(Includes line & Line-Backer™

& up to 3 selected features)

Qwest Choice™ Long Distance **

plus applicable taxes, surcharges, fees

You have ordered these services for:

(360) 571-9295

Your per-month charges will be:

Qwest Choice™ Long Distance **

plus applicable taxes, surcharges, fees

** You'll also want to look at the detailed information included.

Dear _____,

First of all, I'd like to thank you for choosing Qwest for your telecommunication needs. **Please take a moment to confirm the list of services you ordered and the important instructions enclosed.**

As you use your new services, I'd also like to let you know about some of the ways we're making it easier than ever for you to do business with us:

- **MyAccount™, a newly designed, customizable Web site is available to manage your account.** Visit www.qwest.com and log in under the *Manage MyAccount* section to view your Qwest bill, order products and services, report a problem, check your wireless minutes usage and more.
- **Extended customer service hours that work with your busy lifestyle.** Call us Monday-Friday from 7 a.m. to 9 p.m. and Saturday from 8 a.m. to 4:30 p.m.
- **Live residential repair service representatives** available 24 hours a day, 7 days a week at 1-800-573-1311 or online at www.qwestrepair.com.
- **Service backed by the Qwest Promise of Value™.** You can be sure that Qwest is working to develop new ways to bring you the best value for your money.

Once again, on behalf of everyone at Qwest, allow me to **thank you for your order.** We work hard every day to bring our customers the best products and service — That's our Spirit of Service in Action™. Please feel free to contact us at 1-800-244-1111 or www.qwest.com.

Sincerely,



Mark Pitchford

Vice President Market Management

P.S. With the Qwest Promise of Value, we're looking for ways to bring you the best value for your money.

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of August, 2004, the original and 5 copies of the foregoing JOINT MOTION OF THE COLORADO OFFICE OF CONSUMER COUNSEL AND STAFF OF THE COLORADO PUBLIC UTILITIES COMMISSION TO APPROVE PROPOSED TRANSITION PLAN, REQUEST TO WAIVE CERTAIN COMMISSION RULES, AND REQUEST TO SHORTEN RESPONSE TIME was hand-delivered to:

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

and a copy was e-mailed and placed in the United States mail, postage prepaid (hand-delivered to OCC and Commission Staff), and addressed to:

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Denver, CO 80203-2138

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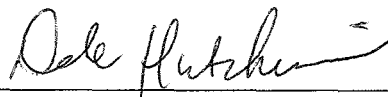
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Denver, CO 80202

A handwritten signature in cursive script, appearing to read "Dale Hutchins", is written over a horizontal line.