

Decision No. C04-1296

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-411T

IN THE MATTER OF THE COMBINED APPLICATION OF QWEST CORPORATION FOR RECLASSIFICATION AND DEREGULATION OF CERTAIN PART 2 PRODUCTS AND SERVICES AND DEREGULATION OF CERTAIN PART 3 PRODUCTS AND SERVICES.

DOCKET NO. 04D-440T

STAFF OF THE COLORADO PUBLIC UTILITIES COMMISSION'S PETITION FOR A DECLARATORY ORDER CONCERNING THE RECLASSIFICATION AND DEREGULATION OF TELECOMMUNICATIONS SERVICES UNDER PARTS 2 AND 3, TITLE 40, ARTICLE 15 OF THE COLORADO REVISED STATUTES.

**ORDER PARTIALLY APPROVING PETITION
FOR DECLARATORY ORDER**

Mailed Date: November 5, 2004
Adopted Date: October 28, 2004

I. BY THE COMMISSION

A. Background

1. This matter comes before the Commission for consideration of Commission Staff's petition for a Declaratory Order filed on August 31, 2004 in Docket No. 04D-440T. On October 1, 2004, Qwest Corporation (Qwest) refiled its Combined Application for Reclassification and Deregulation of Certain Part 2 Products and Services and Deregulation of Certain Part 3 Products and Services, Docket No. 04A-411T. On October 14, 2004, the Commission consolidated docket Nos. 04A-411T and 04D-440T in Decision No. C04-1193.

2. In that decision, the Commission also granted intervenor status to several parties, and requested that the parties submit legal briefs on the following issues:

(1) whether applications for deregulation or reclassification of telecommunications services under §§ 40-15-207 and 40-15-305, C.R.S., relate to services or specific providers (*e.g.*, whether the grant of Qwest's deregulation application would apply only to Qwest or to all providers of the services subject to the application); (2) if the ruling in such applications would apply to services instead of specific providers, whether the Commission must initiate a rulemaking proceeding to consider any portion of Qwest's application, or whether the Commission may proceed by application alone; and (3) how an application under §§ 40-15-207 and 40-15-305, C.R.S., by Qwest could affect the incumbent rural local exchange providers. Briefs were to be submitted by October 22, 2004.

3. Staff, Qwest, Time Warner Telecom of Colorado, and the Colorado Telecommunications Association all submitted timely briefs. The Colorado Office of Consumer Counsel (OCC) submitted a request for an extension of time in which to file its brief, which we now grant, and then filed a brief itself. We now consider the matters addressed in the briefs as well as other administrative issues.

B. Discussion

4. In its petition, Staff asked this Commission to declare that §§ 40-15-207 and 305, C.R.S. are applicable to reclassification and deregulation of services for all providers in specific geographic markets. We agree with Staff with one exception. In its response to Staff's petition Qwest points out that § 40-15-306, C.R.S. requires that intraLATA interexchange services, more commonly known as intraLATA long distance or toll service, may be deregulated with respect to the applicant only (Section 40-15-102(16) provides that intraLATA interexchange telecommunications service "means long-distance service within a LATA;" Section 40-15-102(31) defines toll service as "a type of telecommunications service, commonly known as long-

distance service, that is provided on an intrastate basis between LATAs and within LATAs and that is (a) not included as a part of basic local exchange service; (b) provided between local calling areas; and (c) billed to the customer separately from basic local exchange service).

Section 306 provides:

IntraLATA interexchange telecommunications services shall be regulated in accordance with the provisions of this part 3; except that such services shall not automatically be deregulated as part 4 services pursuant to section 40-15-305 except upon application of the provider of such services.

We thus agree with Qwest that the plain language of the statute indicates that its application for deregulation should pertain to Qwest only with respect to intraLATA toll service.

5. However, with respect to all other services, we agree with the other parties (Qwest seems to argue that the application should not apply to all other providers) that the application should apply to services. The plain language of §§ 40-15-207 and 305, C.R.S. indicates that this should be the case, and indeed, this makes the most sense. To rule otherwise would lead to asymmetric regulation, which would appear to have no justification.. Qwest's application shall apply to its service area for the services it offers. For those services that Qwest offers throughout Colorado, the application will apply statewide. For those services offered on a more limited basis, the application will apply to that specific service area. We also believe it appropriate to define the scope of Qwest's service territory, for purposes of this application, as it exists on the date of filing, or October 1, 2004.

6. In its reply to Staff's petition, Qwest asks the Commission to waive its deregulation rules. According to Qwest, the rules make little sense in the context of deregulation of services because they request information only from the applicant, and place burdens only on the applicant. Qwest points out that information concerning the applicant's "estimated market share, cost and estimated demand data, presently effective tariff pages, presently effective rate

elements and the applicant's joint and common costs used in the provision of a particular service, would seem to be of little utility in an inquiry that, according to Staff, should encompass all carriers offering a particular service in a specific geographic area of the market." We take no position on what information is necessary at this time. It is possible that the Commission will need information beyond what is required in the deregulation application, but given the adjudicatory nature of this proceeding as discussed below, there are means of acquiring that information other than waiving the rules, which we decline to do. Should particular rules need to be waived, this can be accomplished on a case-by-case basis.

7. The parties also addressed whether a rulemaking is required should the application apply to services rather than the applicant. No party argues that the Commission must proceed through rulemaking. The statutes explicitly contemplate that consideration of deregulation take place in the context of an application, and we will proceed through an adjudicatory process. It is conceivable, but by no means definite, that the Commission could undertake rulemaking in the future to implement the decision in this docket.

8. We believe that all providers are indispensable parties because a Commission decision deregulating services could potentially change the nature of competition between providers with respect to those services. We therefore join the providers listed in Attachment A as parties to this docket. Because of the size of this list, however, we require parties who wish to receive pleadings, Commission orders, and other filings related to this combined docket to register with the Commission by filing a notice indicating this desire with the Commission by November 17, 2004. The parties that file notice shall comprise the official service list. We will allow parties to register past this deadline, but they will be required to accept the case as it exists when they elect to receive filings; both procedurally and legally, parties will not be able to

reargue already-decided issues or disputes. Any party that has formally intervened in either docket shall not be required to file this notice.

9. Because Qwest's application for deregulation applies to services, all customers of all providers may be affected by this application. To date, Qwest has provided public notice that its customers may be affected. While this notice was provided pursuant to an order from this Commission, it is no longer sufficient. Qwest shall be required to publish an additional notice drafted by this Commission (attached as Attachment B) in the Denver Post and Rocky Mountain News as soon as possible. The notice shall alert all customers of all providers of Qwest's application, and inform them that the application may affect their services. The notice shall be comparable in size and appearance as the first advertisements published by Qwest, but shall not contain the Qwest logo. The Commission will also provide a press release to be distributed statewide to all print and broadcast media.

10. It is our assumption that Qwest Corporation, the incumbent LEC entity, is not providing any interLATA services and, therefore, no interLATA services will be affected by the outcome of this proceeding. We direct Qwest to inform us if our assumption is correct by filing a letter with the Commission.

II. ORDER

A. The Commission Orders That:

1. The Office of Consumer Counsel's motion for an extension of time is granted.
2. Qwest Corporation's application shall apply to services provided by Qwest in its service territory as of October 1, 2004. Qwest Corporation's application shall apply to its service area for each of the services it offers.

3. Qwest Corporation's application shall apply to Qwest Corporation only with respect to intraLATA interexchange telecommunications services, as set forth in § 40-15-306, C.R.S.

4. Qwest Corporation shall by letter inform the Commission if it was providing any interLATA telecommunications services as of October 1, 2004.

5. This docket shall proceed as an adjudicatory docket.

6. The parties listed in Attachment A are joined as indispensable parties. If these parties wish to receive pleadings, Commission orders and other filings, they shall provide notice indicating a desire to receive all filings to the Commission by November 17, 2004. All parties filing documents with the Commission will be required to serve all parties registered to receive filings in this docket.

7. Parties may elect to receive Commission filings after November 17, 2004, but they must accept all procedural and legal decisions made by the Commission to that point.

8. Qwest shall publish the notice attached as Attachment B in the Denver Post and Rocky Mountain News as soon as possible.

9. This Order is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' DELIBERATIONS MEETING
October 28, 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

LIST OF PARTIES TO DOCKET

Part 2 Carriers (CPCN)

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

Other 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
SelectPath of Colorado, Inc.
Seren Innovations, Inc.

REGULATION OF YOUR COLORADO TELEPHONE SERVICE MAY END

No matter which company provides you your telephone service, regulation may end for most Colorado telephone services because of a proposal filed by Qwest with the Colorado Public Utilities Commission (PUC). The PUC has decided that Qwest's proposal could affect **all** telephone customers within Qwest's service area even though customers may be obtaining the services from a different company than Qwest. The PUC has decided that when it considers Qwest's proposal, it will be deciding whether to end regulation of most telephone services offered by all companies within Qwest's service area. According to Qwest, its proposal does not affect the state law that caps the rate for residential telephone service at approximately \$15 per line.

QWEST PROPOSAL TO ELIMINATE REGULATION OF TELEPHONE SERVICES WITHIN ITS SERVICE AREA

The Qwest proposal would eliminate all of the PUC's price and service quality regulation for services such as your local telephone service; features such as call-waiting; non-optional operator services; operator services necessary to provide basic local telephone service; bundled and packaged services which may include combinations of services; tariffed and customer specific contracts; public access lines for pay telephones, and analog private lines with a capacity of less than 24 voice grade circuits such as those used for traffic signals and burglar alarms. The Qwest proposal would also end regulation of in-state long-distance service offered by Qwest. If granted by the PUC, there would be no PUC oversight on any of the above services. This means that the PUC would no longer set the prices or terms of service for the above-named telephone services.

The PUC would still regulate the telecommunication services that provide 9-1-1, N11 services such as 2-1-1, and switched access service, which is a service that enables telephone companies to use each other's networks. The PUC would also still regulate long-distance service within the state offered by companies other than Qwest.

ACTION REQUIRED BY NOVEMBER 10, 2004

Qwest's proposal was filed with the PUC on October 1, 2004. Any person desiring to intervene or participate as a party in this proceeding (Docket No. 04A-411T) shall file a petition for leave to intervene, or under the PUC's Rules of Practice and Procedure, file other appropriate pleadings to become a party by November 10, 2004. If you do not wish to intervene or become a party but desire to file comments, you may send written comments addressed to the PUC, ATTN: Docket No. 04A-411T, 1580 Logan Street, Office Level 2, Denver, Colorado 80203.