

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-577AT

IN THE MATTER OF THE APPLICATION OF APOLLO COMMUNICATIONS, LLC TO
DISCONTINUE REGULATED TELECOMMUNICATIONS SERVICES.

**ORDER GRANTING
REQUEST FOR HEARING**

Mailed Date: December 2, 2004
Adopted Date: November 23, 2004

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of an Application to Discontinue Regulated Telecommunications Services filed by Apollo Communications, LLC (Apollo) on November 4, 2004. On November 18, 2004, the Colorado Office of Consumer Counsel (OCC) filed a Notice of Intervention of Right and Request for Expedited Hearing.

2. In its application, Apollo indicates that it proposes to discontinue providing telecommunications services to approximately 5,000 customers located primarily in the Colorado Springs, Colorado area. Apollo assumed responsibility to provide telecommunications services on a facilities based and resale basis for these customers from Vanion Telecom, Inc. pursuant to Commission Decision No. C03-0408, effective April 18, 2003.

3. The OCC, in its filing, states that it is concerned that Apollo's customers receive accurate and timely information regarding options available to continue their telephone service as well as all protections necessary to ensure continuity of service through any transition to a default provider in accordance with Commission rules. Therefore, the OCC requests a hearing

be conducted in order for the Commission to approve the customer notice of discontinuance, designate a default provider, and approve a transition plan.

4. We find good cause to grant OCC's request for a hearing. We find that the interests of Apollo's customers is of paramount importance in this discontinuance application matter. We also find it necessary to ensure a seamless transition of Apollo's customers to a new telecommunications provider of their choosing occur as soon as possible. We will therefore refer this matter to an Administrative Law Judge for an expedited hearing on Apollo's application.

II. ORDER

A. The Commission Orders That:

1. The Application of Apollo Communications, LLC to Discontinue Regulated Telecommunications Services is deemed complete.

2. The request for an expedited hearing filed by the Colorado Office of Consumer Counsel is granted.

3. This matter is referred to an Administrative Law Judge for an expedited hearing.

4. This Order is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
November 23, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners