

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 SHORTENING NOTICE PERIOD
ON COMMISSION'S OWN MOTION**

Mailed Date: December 2, 2004
Adopted Date: December 1, 2004

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission upon its own motion to provide for a shortened notice period regarding the application of Apollo Communications, LLC (Apollo) to discontinue regulated telecommunications services.

2. On November 4, 2004, Apollo filed its application to discontinue telecommunications services. On November 18, 2004, the Colorado Office of Consumer Counsel (OCC) filed a Notice of Intervention of Right and Request for Expedited Hearing. In its application, Apollo indicated 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. At the Commission's Weekly Meeting on November 23, 2004, we granted OCC's request and referred this matter to an Administrative Law Judge for an expedited hearing.

3. It has come to the attention of the Commission, that due to an administrative error, Apollo's application was not noticed to the public. In order to balance the interests of the public, the parties to this matter and Apollo's end users, we find it prudent to provide for ten day's public notice of Apollo's application. Given the late notice of the application, coupled with the shortened notice time period we set here, we also find it prudent to allow late filed interventions by interested parties in this matter.

II. ORDER

A. The Commission Orders That:

1. The notice period for the Application of Apollo Communications, LLC to Discontinue Regulated Telecommunications Services is shortened to ten days upon the Commission's own motion.

2. Late filed interventions to this matter shall be accepted.

3. This Order is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
December 1, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER POLLY PAGE
ABSENT.