

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 07A-464T

IN RE: APPLICATION OF PRIMUS TELECOMMUNICATIONS, INC. AND LEAST COST ROUTING, INC. FOR WAIVER PURSUANT TO 4 CCR 723-2-2311(G) IN CONNECTION WITH THE TRANSFER OF LONG DISTANCE CUSTOMERS TO PRIMUS TELECOMMUNICATIONS, INC.

ORDER GRANTING WAIVER

Mailed Date: January 4, 2008

Adopted Date: January 3, 2008

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a joint application filed by Primus Telecommunications, Inc. (PTI) and Least Cost Routing, Inc. (LCR) (collectively, Applicants), for a waiver of Commission Rule 4 *Code of Colorado Regulations* (CCR) 723-2-2311(g). Applicants request a waiver of the rule in order to transfer customers of LCR to PTI without the need to obtain authorization and verification from each individual customer, as the transfer will be transparent to affected customers. Applicants represent that the rates, terms, and conditions of services provided to LCR's customers will not be affected by the transfer.

2. Both parties are toll resellers and have each registered as a toll reseller with the Commission. Although an application for a transfer is not required for toll resellers, they must nonetheless comply with the slamming restrictions contained in § 40-15-112, C.R.S.

3. Applicants represent that all affected customers will be provided notice of the transfer of service and of their rights pursuant to the applicable Federal Communications Commission (FCC) rules.

4. On December 20, 2007, applicants filed a supplement to the application. The purpose of the supplement was to correct the effective date of the proposed transfer from January 4, 2007, as noted in the original application, to January 4, 2008. Applicants also reiterated the request that the Commission allow PTI to provide service to the transferred LCR customers using the name "Least Cost Routing." Applicants also represented that PTI will complete the necessary corporate filing to use that name.

5. Notice of the application was issued on November 28, 2007. Interventions were due on or before December 28, 2007. None were filed.

6. We find that Applicants have shown good cause to grant the application for waiver. Therefore, we grant PTI's and LCR's application for waiver of Rule 4 CCR 723-2-2311(g). Our grant of the application is based on our understanding that Applicants will comply with FCC rules regarding notice to affected customers. A draft customer notice was included in the application.

II. ORDER

A. The Commission Orders That:

1. The application of Primus Telecommunications, Inc. (PTI) and Least Cost Routing, Inc. for a waiver of Rule 4 *Code of Colorado Regulations* 723-2-2311(g) is deemed complete and granted.

2. PTI shall obtain the necessary authorization from the Colorado Secretary of State's office prior to using the name of "Least Cost Routing" to provide service to the customers transferred from Least Cost Routing, Inc.

3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
January 3, 2008.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners