

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0116T

IN THE MATTER OF THE APPLICATION OF SUMMIT COUNTY E-911 EMERGENCY TELEPHONE SERVICE AUTHORITY BOARD TO INCREASE THE EMERGENCY TELEPHONE CHARGE PURSUANT TO § 29-11-102(2)(B), C.R.S.

**INTERIM DECISION GRANTING MOTION FOR
ALTERNATIVE FORM OF NOTICE**

Mailed Date: February 14, 2014
Adopted Date: February 13, 2014

I. BY THE COMMISSION

A. Statement

1. On February 4, 2014, Summit County Emergency Telephone Service Authority Board (Authority) filed an application to increase the emergency telephone charge from \$1.50 to \$1.95 per month per service user pursuant to § 29-11-102(2)(b), C.R.S. (Application).

2. Concurrently with the Application, the Authority filed a Motion for Waiver of Statutory Notice Provisions of § 40-3-104, C.R.S., and for Authorization to Give an Alternative Form of Notice (Motion). Specifically, the Authority seeks authorization to publish notice in the legal notices sections of both the *Summit County Journal* and the *Summit Daily News* for two consecutive weeks with the first publication being made within 14 days after the Commission approves the proposed notice. Both publications are published and circulated in Summit County.

3. The Authority attaches its proposed notice to the Motion.

4. Section 40-3-104, C.R.S., sets forth the Colorado Legislature's findings as to the appropriate notice when the rates for public utility services (e.g., telephone service) are changed.

The Commission has interpreted § 40-3-104, C.R.S., to not apply to emergency telephone service providers because such entities are not regulated public utilities.

5. Nevertheless, because the Authority must obtain approval from the Commission of its proposed surcharge and must file a formal application with the Commission to obtain that approval, the Commission has the authority to specify the notice that an emergency telephone provider must provide in this kind of application.

6. The Commission finds good cause to grant the Motion. The alternative form of notice proposed by the Authority is reasonable with respect to the stakeholders and the general public.

7. Pursuant to Rule 1206(d), 4 *Code of Colorado Regulations* 723-1 of the Commission's Rules of Practice and Procedure, the intervention period for the notice mailed by the Commission shall expire 30 days after the mailing date. The Commission mailed the Notice of Application on February 7, 2014. Thus, the intervention period, including for Staff of the Commission, shall expire at 5:00 p.m., March 10, 2014.

II. ORDER

A. The Commission Orders That:

1. The Motion for Waiver of Statutory Notice Provisions of § 40-3-104, C.R.S., and for Authorization to Give an Alternative Form of Notice filed on February 4, 2014 by Summit County Emergency Telephone Service Authority Board is granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
February 13, 2014.**

(S E A L)



ATTEST: A TRUE COPY



Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners