

Decision No. C14-0213-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0147T

IN THE MATTER OF THE APPLICATION OF CHAFFEE COUNTY EMERGENCY TELEPHONE SERVICE AUTHORITY BOARD FOR AUTHORITY TO INCREASE THE EMERGENCY TELEPHONE CHARGE.

**INTERIM DECISION GRANTING MOTION FOR
AUTHORIZATION TO GIVE AN ALTERNATIVE FORM
OF NOTICE, AND GRANTING MOTION FOR
SHORTENED NOTICE AND INTERVENTION PERIOD**

Mailed Date: February 26, 2014
Adopted Date: February 26, 2014

TO THE PARTIES IN THIS MATTER AND ALL INTERESTED PERSONS, FIRMS, OR CORPORATIONS:

I. BY THE COMMISSION

A. Statement

1. On February 18, 2014, Chaffee County Emergency Telephone Service Authority Board (Authority) filed an application to increase the emergency telephone charge from \$1.25 to \$1.50 per service user per month under § 29-11-102(2)(b), C.R.S. (Application).

2. On February 18, 2014, the Authority also filed a Motion for Authorization to Give an Alternative Form of Notice (Motion for Alternative Notice). The Authority seeks authorization to publish the notice of the Application for two consecutive weeks prior to the effective date of the surcharge increase, in the legal notices section of *The Mountain Mail* and the *Chaffee County Times*. Both newspapers are published in Chaffee County, are designated as the county's legal newspapers for public notice purposes, and both are believed to be widely

circulated in the area. The Authority attaches its proposed notice to the Motion for Alternative Notice.

3. The Application is available for public inspection at the Commission's office located at 1560 Broadway, Suite 250, Denver, Colorado 80202, between 8:00 a.m. and 5:00 p.m., excluding weekends and state holidays. **This Decision is the notice that the Application to increase the emergency telephone charge from \$1.25 to \$1.50 per service user per month has been filed.**

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 for Alternative Notice. The alternative form of notice proposed by the Authority is reasonable with respect to the stakeholders and the general public.

7. In addition to the Motion for Alternative Notice, the Authority also filed a Motion requesting the Commission shorten the intervention period for notice from 30 days to 14 days (Motion for Shortened Notice). In support of this Motion for Shortened Notice, the Authority contends that the Application is sufficiently straightforward such that a shortened period should not prejudice any intervenor.

8. The Commission finds good cause to shorten notice and intervention to 14 days from the mail date of this Decision. Therefore, the intervention period, including for Staff of the Commission, shall expire at 5:00 p.m., **March 12, 2014**.

II. ORDER

A. It Is Ordered That:

1. The Motion for Authorization to Give an Alternative Form of Notice filed on February 18, 2014 by the Chaffee County Emergency Telephone Service Authority Board (Authority) is granted.

2. The Authority shall publish notice of its Application to increase the emergency telephone charge in the legal notices section of both *The Mountain Mail* and the *Chaffee County Times* for two consecutive weeks prior to the expiration of the notice period.

3. The Motion requesting the Commission shorten the intervention period for notice from 30 days to 14 days is granted.

4. The notice period for the Application shall extend through and including **March 12, 2014**.

5. Any person desiring to intervene or participate as a party in this proceeding, including Staff of the Commission, shall file a petition for leave to intervene, or under the Rules of Practice and Procedure, file other appropriate pleadings to become a party, by **March 12, 2014**. Alternatively, persons who do not wish to intervene or become a party, but desire to file comments, may send written comments addressed to the Public Utilities Commission, 1560 Broadway, Suite 250, Denver, Colorado 80202. All persons who file an objection, notice of intervention as of right, motion to permissively intervene, or any other appropriate pleading shall

do so in accordance with the instructions set forth in the Rules of Practice and Procedure and this Decision.

6. The Commission may consider the Application without a hearing if no notice of intervention as of right or motion to permissively intervene is timely filed, or no notice of intervention as of right or motion to permissively intervene requests a hearing or contests or opposes the Application.

7. If a hearing is required in this matter, the Commission will notify the parties of the hearing date, time, and location. The Authority must appear at the hearing, if one is set, and present evidence in support of its Application. Other parties may appear and present evidence in support of their position.

8. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
February 26, 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

Commissioners

COMMISSIONER GLENN A. VAAD ABSENT.