

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14M-0437T

IN THE MATTER OF CERTIFICATION TO THE FEDERAL COMMUNICATIONS COMMISSION OF RURAL AND NON-RURAL LOCAL EXCHANGE CARRIERS AND LIFELINE ONLY ELIGIBLE TELECOMMUNICATIONS CARRIERS TO RECEIVE UNIVERSAL SERVICE SUPPORT PURSUANT TO 47 CFR, § 54.314 AND REPORTING REQUIREMENTS PURSUANT TO § 54.313 AND § 54.422.

**DECISION OPENING A MISCELLANEOUS REPOSITORY
PROCEEDING FOR ANNUAL REPORTING OF ELIGIBLE
TELECOMMUNICATIONS CARRIERS, INCLUDING
LIFELINE ONLY CARRIERS, AND CONCERNING
MOTIONS FOR AN EXTENSION OF TIME TO FILE**

Mailed Date: May 12, 2014
Adopted Date: May 7, 2014

I. BY THE COMMISSION

A. Statement

1. We open this repository Proceeding to enable the Commission to determine whether to certify eligible telecommunications carriers (ETCs) to continue to receive federal universal service support. *See 47 Code of Federal Regulations (CFR) §§ 54.313, 54.314, and 54.422.*

2. The Federal Communications Commission (FCC) released two orders mandating reporting requirements for ETCs. The first order, *USF/ICC Transformation Order*,¹

¹*In the Matter of Connect America Fund, A National Broadband Plan for Our Future, Establishing Just and Reasonable Rates for Local Exchange Carriers, High-Cost Universal Service Support, Developing an Unified Intercarrier Compensation Regime, Federal-State Joint Board on Universal Service, Lifeline and Link-Up, Universal Service Reform – Mobility Fund*, WC Proceeding No. 10-90, GN Proceeding No. 09-51, WC Proceeding No. 0-7-135, WC Proceeding No. 05-337, CC Proceeding No. 01-92, CC Proceeding No. 96-45, WC Proceeding No. 03-109, WT Proceeding No.10-208, Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161 (rel. Nov. 18, 2011) (*USF/ICC Transformation Order*).

released November 18, 2011, establishes certain reporting requirements, as described below, for ETCs that receive high-cost support. The second order, *Lifeline/Link Up Order*,² released on February 6, 2012, establishes annual reporting requirements for ETCs that receive Lifeline support. In Order FCC 12-52 released on May 14, 2012, the FCC moved § 54.313 progress reporting deadlines from April 1 to July 1.

3. Through the *USF/ICC Transformation Order* and the *Lifeline/Link Up Order*, the FCC expands annual reporting and certification requirements to all ETCs, not just federally-designated ETCs. The FCC mandates that each ETC file annual reports both with the FCC and with relevant state commission(s).

4. As set forth in this Decision, the Commission shall accept certain filings in this Proceeding consistent with requirements set forth in the *USF/ICC Transformation Order* and the *Lifeline/Link Up Order*, on or before July 1, 2014.

5. An ETC may file for a reasonable extension of time if it cannot meet the July 1, 2014, filing deadline. Any such filing shall be made in this Proceeding.

B. Annual Reporting Requirements for ETCs that Receive High-Cost Support

6. Each ETC that is required to file annual reports pursuant to 47 CFR § 54.313 at the FCC by July 1, 2014, must also file in this Proceeding with the Commission:

- a) A copy of the same documentation required by 47 CFR § 54.313. Filing a copy of the annual reports required by 47 CFR § 54.313 with the Commission will satisfy the requirements in Rule 2187(f) of the Rules Regulating Telecommunications Providers, Services, and Products, 4 *Code of Colorado Regulations* (CCR) 723-2;

² *In the Matter of Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Proceeding No. 11-42, WC Proceeding No. 03-109, CC Proceeding No. 96-45, WC Proceeding No. 12-23, Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11 (rel. Feb. 6, 2012) (*Lifeline/Link Up Reform Order*).

- b) A copy of the ETC's Colorado-specific trial balance for the previous year;
- c) A detailed schedule/exhibit showing the ETC's progress consistent with requirements set forth in Rule 2187(f)(II)(H), 4 CCR 723-2. An ETC may file a five-year progress report, as required by the FCC in 47 CFR § 54.313(a)(1) that otherwise meets the requirements set forth in Rule 2187(f)(II)(H), 4 CCR 723-2, in lieu of a two-year detailed schedule/exhibit, and
- d) An affidavit attesting to the fact that the information reported on the annual report and information submitted under this rule is true and correct. The affidavit must also state that the ETC is aware of the purpose of the support for the federal high-cost support and it is complying with the requirement set forth by the FCC in 47 U.S.C. § 254(e). An officer, director, partner, or owner of the company must sign the affidavit.

7. Each ETC shall file the documents described in Paragraph No. 6 of this Decision on or before July 1, 2014. Carriers shall not be required to file these documents again by the August 15th date set forth in Rule 2187(f)(I), 4 CCR 723-2.

C. Annual Reporting Requirements for ETCs that Receive Lifeline Support

8. Each ETC that receives Lifeline support is required to file annual reports with the FCC pursuant to 47 CFR § 54.422. It must also file a copy of the same documentation required by 47 CFR § 54.422 in this Proceeding with the Commission on or before July 1, 2014.

II. ORDER

A. The Commission Orders That:

1. This repository Proceeding is opened to receive annual reports filed by non-rural, rural, and Lifeline eligible telecommunications carriers.

2. On or before July 1, 2014, each eligible telecommunications carrier that receives high-cost support and/or Lifeline support shall file applicable documents in this Proceeding consistent with the discussion above.

3. An eligible telecommunications carrier may file for a reasonable extension of time in this Proceeding if it cannot meet the July 1, 2014 filing deadline.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 7, 2014.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

Commissioners

COMMISSIONER GLENN A. VAAD
ABSENT.