

Decision No. C25-0026

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24A-0492T

IN THE MATTER OF THE APPLICATION BY INVENTIVE WIRELESS OF NEBRASKA L.L.C DOING BUSINESS AS VISTABEAM FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (CPCN) TO PROVIDE PART IV SERVICES (4 CCR 723-2-2103).

**COMMISSION DECISION DEEMING
APPLICATION COMPLETE AND GRANTING
APPLICATION**

Issued Date: January 14, 2025

Adopted Date: January 8, 2025

I. BY THE COMMISSION

A. Statement

1. By this Decision, we grant the Application filed by Inventive Wireless of Nebraska L.L.C., doing business as Vistabeam (“Vistabeam”), to obtain a Certificate of Public Convenience and Necessity (“CPCN”) to provide local services pursuant to 4 *Code of Colorado Regulations* (“CCR”) 723-25-4, Commission’s Rules Regulating Telecommunications Service and Providers of Telecommunications Service.

B. Background

2. On November 4, 2024, Vistabeam filed an application requesting a CPCN to provide Part IV services. Vistabeam seeks to provide fixed wireless, fiber internet, and VoIP services in Larimer, Weld, Logan, Sedgwick, Phillips, Morgan, Washington, and Yuma counties.

3. On November 14, 2024, notice of the application was provided to all persons, firms, or corporations, interested in, or affected by the grant or denial of the request. Interventions were due on or before December 16, 2024. No interventions were received in this proceeding.

4. On November 21, 2024, Vistabeam submitted a supplement to their application, a notarized attestation.

C. Discussion

5. No one has filed an intervention opposing the application. We, therefore, find that the Application is unopposed and considered without a formal hearing pursuant to § 406109(5), C.R.S.

6. The Commission modified its Rules Regulating Telecommunications Services and Providers of Telecommunications Services, 4 CCR 723-2 (Proceeding No. 16R-0453T, with an effective date of September 1, 2017). The modified rules allow but do not require, providers offering Part IV services under § 40-15-401, C.R.S., to apply to the Commission to obtain a CPCN.

7. Due to the financial information provided by Vistabeam, we conclude that financial assurance for the issuance of a CPCN has been met.

II. ORDER

A. The Commission Orders That:

1. The Application, filed on November 4, 2024, by Inventive Wireless of Nebraska L.L.C., doing business as Vistabeam, is deemed complete within the meaning of § 40-6-109.5, C.R.S., and is granted.

2. Vistabeam is not required to create and provide tariffs to the Commission.

3. Vistabeam shall not unjustly discriminate among customers in the same class of service, per Commission Rule 4 *Code of Colorado Regulations* 723-2-2103.

4. Consistent with terms and conditions established in previous Commission decisions, Vistabeam will be required to contribute, as prescribed by statute, rule, or order of the Commission, based on the entirety of its intrastate services regardless of the technology, to the Public Utilities Commission's Telecommunications Utilities Fund, the Colorado High-Cost Support Mechanism, the Colorado Telephone Users Disabilities Fund, the Statewide 9-1-1 Surcharge Trust Cash Fund, the Statewide 9-8-8 Surcharge, and other financial support mechanisms that may be created in the future by the Commission to implement §§ 4015-502(4) and (5), C.R.S.

5. The 20-day period provided for in § 40-6-114, C.R.S., within which to file an Application for Rehearing, Reargument, or Reconsideration begins on the first day following the effective date of this Decision.

6. The 20-day period provided for in § 40-6-114, C.R.S., within which to file an Application for Rehearing, Reargument, or Reconsideration begins on the first day following the effective date of this Decision.

7. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
January 8, 2025.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners