

Cellular/Wireless Phone Service Regulation Overview

In Colorado Statute, Cellular/Wireless Service is Largely Exempted for Regulation:

- § 40-1-103, C.R.S. *specifically exempts* “communications services over a cellular radio system” to be from the definition of a public utility.
- § 40-15-401, C.R.S. reiterates that cellular services are exempt from PUC regulation.

PUC Authority Provided in Other Sections or Federal Law

- Providers must collect and remit 9-1-1, 9-8-8, and Telecom Relay Service (TRS) fees, which are administered by the PUC. PUC has audit authority to ensure compliance.
- Federal Lifeline Program requires companies to be certified by the PUC to be eligible for participation.

Federal Communications Commission Regulation

While the PUC's authority to regulate cell service providers is limited, the FCC holds extensive authority and has a number of regulations for Commercial Mobile Radio Service (CMRS) providers.

The FCC's rules regarding CMRS providers can be found primarily in 47 CFR Chapter 1, with particular attention to Parts 4 and 9, as those deal with outage reporting and 9-1-1 service, respectively.

Federal Communications Commission Regulation

Examples:

- They must operate within the radio spectrum assigned to them by the FCC.
- They must report outages to the FCC that meet certain criteria.
- They're required to notify local 9-1-1 centers of outages.
- They are required to register with the FCC their coverage areas.
- They are required to deliver all 9-1-1 calls they receive, even if those calls are from phones that aren't subscribed to their network.
- They are required to provide location information with 9-1-1 calls, usually meaning the latitude and longitude of the caller, if available.
- They are required to deliver 988 calls to the national crisis hotline number.
- They are required to take certain actions in an attempt to block spam and fraudulent telemarketers.
- And many more.

Questions?

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