

CHAPTER 74

PUBLIC UTILITIES

HOUSE BILL 02-1169

BY REPRESENTATIVE(S) Groff, Coleman, Dean, Garcia, Jahn, Jameson, Mace, Miller, Rippey, Sanchez, Tapia, and Williams S.;
also SENATOR(S) Perlmutter, Hernandez, and Phillips.

AN ACT**CONCERNING THE NOTICE GIVEN BY AN INTRASTATE TELECOMMUNICATIONS PROVIDER PRIOR TO
MAKING CHANGES AFFECTING CUSTOMER COSTS.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. The general assembly hereby declares that this act is not intended to affect the statutes and rules that concern the standards for achieving a competitive local exchange market or the regulation of such market. Therefore, nothing in this act shall be construed to modify regulatory requirements for providers of competitive local exchange or interexchange telecommunications services or public utilities commission rules promulgated pursuant to sections 40-15-203, 40-15-207, and 40-15-503(2) (a), and parts 3 and 4 of article 15 of this title.

SECTION 2. 40-3-104 (1) (c), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

40-3-104. Changes in rates - notice. (1) (c) (V) IN THE CASE OF A PUBLIC UTILITY THAT PROVIDES REGULATED INTRASTATE TELECOMMUNICATIONS SERVICES:

(A) NOTICE OF A DECREASE IN A RATE OR CHARGE FOR ANY REGULATED TELECOMMUNICATIONS SERVICE SHALL BE GIVEN BY FILING WITH THE COMMISSION AND KEEPING OPEN FOR PUBLIC INSPECTION FOR A PERIOD OF FOURTEEN DAYS THE NEW SCHEDULE STATING PLAINLY THE DECREASE TO BE MADE AND THE TIME THAT THE DECREASE WILL BECOME EFFECTIVE. SUCH DECREASES SHALL NOT BE SUBJECT TO ANY ADDITIONAL NOTICE REQUIREMENTS.

(B) NOTICE OF CHANGES IN TERMS AND CONDITIONS FOR ANY REGULATED TELECOMMUNICATIONS SERVICE SHALL BE GIVEN BY FILING WITH THE COMMISSION

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

AND KEEPING OPEN FOR PUBLIC INSPECTION FOR A PERIOD OF FOURTEEN DAYS THE NEW SCHEDULE STATING PLAINLY THE CHANGES TO BE MADE IN THE TERMS AND CONDITIONS AND THE TIME THAT THE CHANGES WILL BECOME EFFECTIVE. SUCH CHANGES IN THE TERMS AND CONDITIONS SHALL NOT BE SUBJECT TO ANY ADDITIONAL NOTICE REQUIREMENTS UNLESS THE COMMISSION DETERMINES THAT SUCH ADDITIONAL NOTICE IS IN THE PUBLIC INTEREST. ANY SUCH ADDITIONAL NOTICE SHALL BE GIVEN IN A MANNER SPECIFIED BY THE COMMISSION.

SECTION 3. Effective date - applicability. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) The provisions of this act shall apply to notices of changes proposed on or after the applicable effective date of this act.

Approved: April 3, 2002