



Qwest Corporation
1600 7th Avenue, Room 3206
Seattle, Washington 98191
(206) 345-1568

Mark S. Reynolds
Assistant Vice President
Public Policy & Regulatory Affairs

October 28, 2008

Honorable Lisa D. Hardie, Administrative Law Judge
Oregon Public Utility Commission
550 Capitol Street NE, Suite 215
P. O. Box 2148
Salem, OR 97308-2148

RE: Docket AR 529 – In the Matter of Amendments to OARs 860-021-0305, 860-021-0505, 860-034-0180, and 860-034-0260

Dear Judge Hardie:

As requested in the Notice of Proposed Rulemaking Hearing in Docket AR 529, filed on September 12, 2008, Qwest hereby files its comments in this matter. The convention used by Qwest below for making its comments is to identify the rule amendment at issue from the proposal filed by the Commission, and then provide Qwest's comments on that particular amendment.

860-021-0305

Grounds for Disconnecting Utility Service

(5) When the customer requests the utility to disconnect service or close an account or when a co-customer fails to reapply for service within 20 days after a joint account is closed by the other co-customer, so long as the utility has provided a notice of pending disconnection. (new section)

Qwest Comments

Qwest proposes that this draft provision be deleted from the amended rules. If a "co-customer" orders disconnection of service and is listed as the responsible party with another person, it would be administratively burdensome to contact the other "co-customer" with advance written notice before disconnecting the service. Typically, if one "co-customer" wants to disconnect service, it would be best handled as a change of responsibility on the account. This would be in the best interest for the continuation of service for the remaining customer.

860-021-0505

Disconnection Procedures for All Commercial Electric and Gas Utility Customers and All Customers of Large Telecommunications Utilities

(1) This rule applies to the involuntary termination of all commercial electric and natural gas customers and all utility services provided by large telecommunications utilities.

(2) ~~At least five days before an energy or large telecommunications utility disconnects service for nonpayment for services rendered, the~~ The energy or large telecommunications utility must provide **written** notice to the customer, *which may include e-mail notification upon customer request*, at least five business days before disconnecting service except when the disconnection is made: ~~a written notice of the disconnection.~~

(a) At the request of the customer; or

(b) When the facilities provided are unsafe creating an emergency endangering life or property under OAR 860-021-0315.

(c) When the customer establishes service through identity theft, (i.e. intentionally using another person's valid name and Social Security number to establish service).
(Qwest proposed new subsection)

Qwest Comments

Qwest proposes the following two changes to (2) above:

- The term shaded term “written” should be modified by the phrase (added by Qwest above in bold underlined italics) - ***“which may include e-mail notification upon customer request”***. The purpose of this addition is to ensure that Qwest’s e-billed customers receive proper notice of disconnection in a similar fashion as its paper-billed customers.
- The addition of subsection (c) (added by Qwest above in bold underlined italics). The purpose of subsection (c) is to provide an additional exception for disconnection without notice for those rare circumstances where the customer is committing a fraudulent act by knowingly using a real Social Security number and name of another person.

860-021-0505

Disconnection Procedures for All Commercial Electric and Gas Utility Customers and All Customers of Large Telecommunications Utilities

(5) The energy or large telecommunications utility ~~may~~ **must** serve the notice of disconnection in person or send it by first class mail to the last known addresses of the customer and the customer's designated representative, *or by e-mail at the option of the customer*. Service is complete on the date of personal delivery or, if service is by U S Mail, on the day after the U S Postal Service postmark or the day after the date of postage metering *or the day after the date the e-mail is sent*.

Qwest Comments

Qwest proposes adding the language in bold underlined italics to (5) above. The reason is that Qwest has e-billed customers who may want to receive all communications from it electronically, including the option for electronic disconnect notices.

860-034-0260

Disconnection Procedures for Commercial and Residential Utility Customers

(1) This rule applies to the involuntary termination of all utility service provided by a small telecommunications utility.

(2) ~~At least five days before a~~ **The small telecommunications utility must provide written notice to the customer, which may include e-mail notification upon customer request, at least five business days before** disconnecting service ~~for nonpayment for utility services rendered, the utility must provide the customer a written notice of the disconnection except when the disconnection is made:~~

(a) **At the request of the customer; or**

(b) **When the facilities provided are unsafe creating an emergency endangering life or property under OAR 860-021-0315.**

(c) When the customer establishes service through identity theft, (i.e. intentionally using another person's valid name and Social Security number to establish service).
(Qwest proposed new subsection)

Qwest Comments

Qwest proposes the following two changes to (2) above:

- The term shaded term “written” should be modified by the phrase (added by Qwest above in bold underlined italics) - “**which may include e-mail notification upon customer request**”. The purpose of this addition is to ensure that Qwest’s e-billed customers receive proper notice of disconnection in a similar fashion as its paper-billed customers.
- The addition of subsection (c) (added by Qwest above in bold underlined italics). The purpose of subsection (c) is to provide an additional exception for disconnection without notice for those rare circumstances where the customer is committing a fraudulent act by knowingly using a real Social Security number and name of another person.

860-034-0260

Disconnection Procedures for Commercial and Residential Utility Customers

(3) The notice must be **printed in boldface type and must state in easy to understand language-language that is as clear and simple as possible:**

Qwest Comments

Qwest requests the removal of the explicit reference to “printed and boldface type” to allow the customers option of receiving electronic notices.

860-034-0260

Disconnection Procedures for Commercial and Residential Utility Customers

(5) The small telecommunications utility ~~may~~ **must** serve the notice of disconnection in person or send it by first class mail to the last known addresses of the customer and the customer's designated representative, **or by e-mail at the option of the customer.** Service is complete on the date of personal delivery or, if service is by U S Mail, on the day after the U S Postal Service postmark or the day after the date of postage metering **or the day after the date the e-mail is sent.**

Qwest Comments

Qwest proposes adding the language in bold underlined italics to (5) above. The reason is that Qwest has e-billed customers who may want to receive all communications from it electronically, including the option for electronic disconnect notices.

Qwest appreciates this opportunity to file written comments on the draft amendments to these rules. If you have questions concerning this filing, please contact Mark Reynolds at 206-345-1568.

Sincerely,



CERTIFICATE OF SERVICE

AR 529

I hereby certify that on the 28th day of October 2008, I served the foregoing **QWEST CORPORATION'S COMMENTS** in the above entitled docket on the following persons via U.S. Mail, by mailing a correct copy to them in a sealed envelope, with postage prepaid, addressed to them at their regular office address shown below, and deposited in the U.S. post office at Portland, Oregon.

Avista Utilities
Linda Gervais
P.O. Box 3727
Spokane, WA 99220-3727

Department of Justice
Michael Weirich
Assistant Attorney General
1162 Court St., NE
Salem, OR 97301-4096

Northwest Natural
Onita King
220 NW 2nd Avenue
Portland, Or 97209-3991

Oregon Telecommunications Asso.
Brant Wolf
777 13th Street, SE, Suite 120
Salem, OR 97301-4038

Pacific Power & Light
Barb Coughlin
825 NE Multnomah, Suite 800
Portland, OR 97232

Pacific Power & Light
Michelle Mishoe
825 NE Multnomah, Suite 1800
Portland, OR 97232

Pacificorp Oregon Dockets
825 NE Multnomah St., Suite 2000
Portland, OR 97232

Portland General Electric
Terri Bowman / Barbara Halle
121 SW Salmon St., 1 WTC-13
Portland, OR 97204

United Telephone Company
of the NW
Becky Sandercock
902 Wasco Street
Hood River, OR 97031

Verizon Corporation Services, Inc.
Kim Douglass
600 Hidden Ridge HQE02F60
Irving, TX 775038

DATED this 28th day of October 2008.

QWEST CORPORATION



By: _____

ALEX M. DUARTE, OSB No. 02045
421 SW Oak Street, Suite 810
Portland, OR 97204
Telephone: 503-242-5623
Facsimile: 503-242-8589
e-mail: alex.duarte@qwest.com
Attorney for Qwest Corporation