

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 864

In the Matter of)	
)	
WESTERN RADIO SERVICES)	PREHEARING CONFERENCE
COMPANY)	MEMORANDUM
)	
Request for Interconnection Agreement)	
with CenturyTel of Eastern Oregon, Inc.)	
)	

On October 9, 2008, at 2:00 p.m., a telephone prehearing conference was held in the above-captioned proceeding. The purpose of the conference was to identify the issues and establish a procedural schedule.

Appearances were entered as follows: Marianne Dugan and Richard Oberdorfer, on behalf of Western Radio Services Company (Western); Calvin Simshaw and Jackie Phillips on behalf of CenturyTel of Eastern Oregon, Inc. (CenturyTel); and Shelley Jones and Brian Conway on behalf of Staff of the Oregon Public Utility Commission (Commission).

Although this proceeding is docketed with the ARB designation, the Commission has not been asked, as of yet, to arbitrate any issue. Instead, this proceeding was opened to address Western’s bonafide request for termination of CenturyTel’s rural exemption from section (c) of 47 USC 251. During the prehearing conference, it became apparent that at least one threshold legal question exists regarding Western’s request.

I directed Western to make a filing within two weeks (by October 23, 2008) that identified and explained the threshold legal issue(s). I indicated, at the time, that CenturyTel and Staff may respond to Western’s filing within the subsequent two weeks (by November 6, 2008).

After the prehearing conference concluded, counsel for Staff requested I confirm Staff’s ability to participate in the proceeding at this time, and, if Staff may comment, that it be able to do so after CenturyTel responds to Western. Staff may comment on the legal issues raised—again, no issues are being arbitrated as of yet—and Staff may do so within the two weeks after CenturyTel files response comments to Western’s filing (November 19, 2008).

Dated this 13th day of October, 2008, at Salem, Oregon.

Traci A. G. Kirkpatrick
Administrative Law Judge