



March 10, 2009

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Ms. Diane Davis
Oregon Public Utility Commission
P. O. Box 2148
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RE: Docket AR 533 – In the Matter of Clarifying OAR 860-032-0620, Quarterly
OUS Report: Filing and Payment

Dear Ms. Davis,

As requested in the Notice of Proposed Rulemaking Hearing in Docket AR 533, filed on February 5, 2009, Technologies Management, Inc., (TMI) hereby files its comments in this matter.

Our comments are addressed primarily to the Commission's discussion concerning the need for the proposed amended language in OAR 860-032-0620 (1). The Commission proposes to amend that section to read as follows:

“The contribution report must include the signature of an officer of the company (telecommunication provider) verifying the information in the contribution report.”

As justification for the proposed amendment, the Commission states that “There are instances of telecommunications providers filing unsigned quarterly contribution *or filing reports that are signed by contracted tax consultants*. Filing of an incomplete or inaccurate contribution report can lead to monetary penalties for the subject company. The proposed amendments to the rule clarify the requirements regarding signatures required and deferrals.” (emphasis supplied) TMI's concern is related to the italicized portion of the above statement.

TMI is a nationwide telecommunications consulting firm specializing in regulatory compliance which, among other things, assists telecommunications providers in filing their state and federal annual, universal service, TRS, and other required reports. As part of our service, we offer clients the option of giving us a Power of Attorney. The Power of Attorney authorizes us to sign and file reports on their behalf, but only after the client has approved the report in writing. Using this Power of Attorney, we sign reports, including the Oregon OUS Reports, on behalf of our clients but always identifying ourselves as the attorney-in-fact. Our Power of Attorney specifically authorizes us to file reports which require the signature of an officer and we have in place safeguards to ensure that all such reports are approved by the Client's officer-level designated party.

Diane Davis
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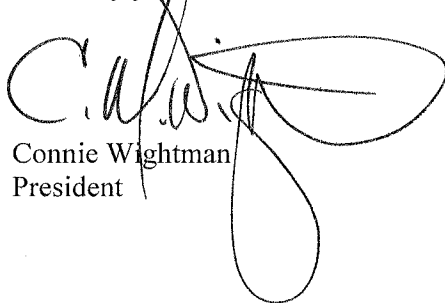
TMI believes that the Commission's comment was addressed to contracted consultants who signed reports for clients without identifying their specific authority to do so, *i.e.*, who do not indicate that they are the "attorney-in-fact" for the named provider. We understand why the Commission would be concerned about such filings. However, we submit that filings signed by a third party as "attorney-in-fact" based on a binding Power of Attorney are fully enforceable and should be accepted by the Commission.

Accordingly, we ask the Commission to clarify in its final rulemaking that contracted consultants may sign reports on behalf of telecommunications providers so long as the filing clearly identifies the consultant as the attorney-in-fact for the provider at issue. In the event there was a question about the validity of a particular signature, the Commission would certainly have the right to request that the consultant provide a copy of the Power of Attorney.

TMI notes that Qwest has filed comments in this proceeding suggesting that the Commission should simply require the signature of any authorized company employee, not necessarily an officer. Qwest notes that requiring a signature of an officer creates an administrative burden on the provider by adding additional levels of review and, in some cases, requiring the document to be sent to another office. TMI's experience is that its clients also find it burdensome to obtain an officer signature on reports. In fact, they experience many of the same challenges that Qwest outlined. Accordingly, we support Qwest's suggestion and urge the Commission to adopt the amended language it proposed.

TMI appreciates this opportunity to file comments on the draft amendments and express its concerns. If you have any questions regarding this filing, please feel free to contact me at 407-740-3002.

Sincerely yours,



Connie Wightman
President