

ISSUED: June 17, 2011

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1437

In the Matter of

TRACFONE WIRELESS, INC.

Application for Designation as an Eligible
Telecommunications Carrier.

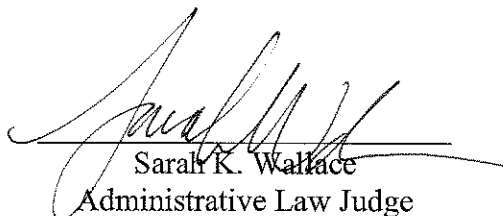
RULING

DISPOSITION: MOTION FOR RELIEF FROM BRIEFING REQUIREMENT
GRANTED; DOCKET STAYED PENDING RULEMAKING

On June 13, 2011, TracFone Wireless, Inc., the Citizens' Utility Board of Oregon, the Oregon Office of Emergency Management, and Staff of the Public Utility Commission of Oregon filed a joint motion for relief from the requirement to file briefs addressing the whether the Commission has the authority to impose a surcharge on TracFone's Lifeline customers under the Residential Service Protection Fund program. The Commission reviewed the stipulation filed in this docket on June 10, 2011, and determined that briefs are not required. The motion is therefore granted.

The Commission notes, however, that approval of the stipulation requires waiver of certain Commission rules. Because the division containing those rules does not include a provision allowing waiver, the stipulation cannot be adopted under existing rules. The Commission has therefore decided to stay this docket pending completion of permanent rulemaking proceedings to add a waiver provision to OAR Chapter 860, Division 033. The rulemaking will also propose adding general waiver provisions to other divisions of the Commission's administrative rules. The Commission will complete the rulemaking as expeditiously as possible.

Dated this 17th day of June, 2011, at Salem, Oregon.


Sarah K. Wallace
Administrative Law Judge