

ISSUED: August 18, 2010

**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 SCHEDULING
CONFERENCE GRANTED**

On August 16, 2010, the Citizens' Utility Board of Oregon (CUB) filed a motion requesting that a scheduling conference be convened to address further amendment of the procedural schedule in this docket. CUB explains that on August 13, 2010, TracFone Wireless, Inc. (TracFone) notified this Commission of its intention to expand its Safelink Wireless© Lifeline for both new and current customers. In the notice, TracFone states that, upon designation as an Eligible Telecommunications Carrier (ETC) in Oregon, it will give its Oregon Lifeline customers the options to select three different monthly plans. CUB contends that TracFone's explanation of services adds significant new facts to this proceeding that require additional time for discovery and testimony. CUB adds that Commission Staff supports the motion.

TracFone opposes CUB's request. TracFone contends that its announcement of expanded service offerings does not require additional discovery or further delay in the proceeding. TracFones states that the announced changes are quite straightforward, and opposes any further delay in these proceedings. TracFone also states that, even if CUB needs formal discovery on these new offerings, it does not need a revision to the schedule to allow it to present evidence on August 23, 2010. TracFone explains that the testimony due on August 23 allows CUB to respond only to the testimony of other parties; it does not allow CUB to further respond to TracFone's opening testimony.


CUB's motion to convene a scheduling conference is granted. A telephone conference will be held on Tuesday, August 24, 2010, at 11 a.m. Notice of the conference is attached to this ruling.

In granting CUB's motion, I clarify that the August 23 date for Reply Testimony has not been suspended. Parties may file testimony to address the Parties'

Responsive Testimony filed on August 3. I also affirm the Commission's intention to process this case as expeditiously as possible. Given TracFone's recent proposed change to its service offerings, however, all parties—including TracFone and CUB—must have the opportunity to address the impact of such changes on TracFone's application for ETC certification in Oregon. The purpose of the scheduling conference will be to address what additional procedures are necessary to ensure an adequately developed record for the Commission's decision.

Following the telephone conference, I will ask CUB and TracFone to remain on the line so I can discuss and clarify the parties' outstanding motions to compel discovery in the hopes of facilitating a resolution to those conflicts.

Dated this 18th day of August, 2010, at Salem, Oregon.



Shani M. Pines
Administrative Law Judge

ISSUED: August 18, 2010

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1437

In the Matter of

TRACFONE WIRELESS, INC.

Application for Designation as an Eligible
Telecommunications Carrier.

NOTICE OF
SCHEDULING
CONFERENCE

NOTICE IS GIVEN that the Public Utility Commission of Oregon has scheduled a telephone conference in this proceeding as follows:

DATE: Tuesday, August 24, 2010

TIME: 11:00 a.m.

CALL-IN NUMBER: Each party is directed to call:
503-378-3333, promptly at 11:00 a.m. (you will be
connected after one ring)

**ADMINISTRATIVE
LAW JUDGE:** Shani M. Pines

The purpose of this telephone conference is to discuss the docket schedule and any future filing(s) necessary.

POSTPONEMENT will be made only upon a showing of good cause. Please call the Administrative Hearings Division (503) 378-3885, if you have any questions.

Dated this 18th day of August, 2010, in Salem, Oregon.

Ray Baum

John Savage

Susan K. Ackerman

Chairman

Commissioner

Commissioner

**IF YOU HAVE A DISABILITY AND NEED ACCOMMODATION TO
PARTICIPATE IN THIS HEARING, PLEASE LET US KNOW
(503)378-6678 or Oregon Telecommunications Relay Service: 7-1-1.**