

BACKGROUND

3. In Order No. 06-292, the Commission adopted requirements for the annual recertification of telecommunications carriers eligible to receive federal Universal Service Fund (“FUSF”) support from the Federal Communications Commission (“FCC”), commonly referred to as Eligible Telecommunications Carriers (“ETCs”).
4. The Commission currently requires Oregon ETCs to file the Oregon-specific annual reports listed in Appendix A of Order 06-292 by July 15 of each year. The Commission established these annual reports to gain sufficient information to enable it to re-certify Oregon ETCs to the FCC by October 1 of each year as required by 47 CFR § 54.314, and to monitor ETCs’ ongoing compliance with requirements. These requirements were established based on prior FCC decisions and the testimony and comments submitted in Docket No. UM 1217.
5. In November 2011, the FCC issued an order that, in relevant part, provides for new mandatory annual reporting requirements for ETCs receiving high-cost support. Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161 (November 18, 2011). In February 2012, the FCC issued an order that includes new annual reporting requirements for ETCs receiving support from the federal Lifeline program for low-income support. Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11 (February 6, 2012). FCC annual reporting procedures are developing. High-cost annual reporting requirements are currently largely reflected in FCC regulations, specifically 47 CFR § 54.313. Reporting requirements for ETCs receiving Lifeline support are reflected in 47 CFR § 54.422. In addition, annual reporting requirements for ETCs receiving Connect America Fund Intercarrier Compensation Replacement (“CAF ICC”) support are provided in 47 CFR § 54.304 and annual reporting requirements for ETCs receiving Mobility Fund support are set forth in 47 CFR § 54.1009. Annual reports other than those required by 47 CFR §

1 54.304 are due to the FCC by July 1 of each calendar year. The section 54.304
2 reports are due on the date that the carrier files its annual access tariff filing with the
3 FCC.

4 6. The FCC annual reports cover many of the same items that are included in the
5 Oregon reports. The FCC requires ETCs to submit copies of their FCC reports to
6 state commissions. The new FCC reports may result in duplication of reporting for
7 ETCs and increased burdens on ETCs that can be reduced if the Oregon reporting
8 requirements are modified.

9 7. The Commission opened this Docket to review and consider changes to the
10 requirements for designation and annual recertification of ETCs. The Docket
11 addresses these issues in two phases, with Phase I designated to address ETC annual
12 reporting requirements and Phase II to address initial requirements of ETC
13 designation.

14 8. In Phase I, the Parties first agreed to specific 2013 annual reporting requirements, as
15 reflected in the Partial Stipulation filed in this docket on June 3, 2013. The
16 Commission adopted the partial stipulation in Order No. 13-228.

17 9. In this Second Partial Stipulation, the parties propose a new set of reporting
18 requirements for the 2014 reporting year. These requirements improve upon the 2013
19 filing requirements. The parties agree to revisit the issue of the annual reports for
20 ETC recertification in subsequent years following the 2014 recertification process
21 and, if the parties agree, to support adoption of the 2014 requirements on a continuing
22 basis.

23 SECOND PARTIAL STIPULATION

24 1. The Parties agree to request that the Commission amend Order 06-292 to modify the
25 following provisions on page 18 of the Order:

26 ///

1 5. Eligible telecommunications carriers shall not be required to file
2 the annual set of Oregon carrier reports for ETC recertification that would
3 be due by July 15, 2014. In lieu of filing the 2014 reports, each carrier
4 shall comply with the following:

5 a. Each ETC carrier shall file with the Commission a complete (non-
6 redacted) copy of each report pertaining to Oregon that the ETC files with
7 the FCC for 2014, pursuant to the following regulations, as applicable:

8 A. 47 CFR § 54.304 (CAF ICC support);

9 B. 47 CFR § 54.313 (high-cost support) – Form 481 and Rate

10 Floor Data form;

11 C. 47 CFR § 54.422 (low-income support) – Form 481; and

12 D. 47 CFR § 54.1009 (mobility fund support) – Form 690.

13 b. ETCs receiving only low-income support must file with the
14 Commission a report that includes all of the information specified in 47
15 CFR § 54.422(b) even if the ETC does not submit Form 481 with this
16 information to the FCC;

17 c. Copies of the foregoing 2014 reports shall be filed with the
18 Commission no later than the corresponding due dates for these types of
19 reports as determined by the FCC. Subsequent updates or revisions to
20 such reports shall be filed no later than five business days following the
21 date any update or revision is submitted to the FCC.

22 d. Each ETC carrier receiving federal high-cost support shall, no later
23 than the due date of the Form 481, file a notarized affidavit from an officer
24 of the carrier company in the form approved by Commission staff
25 certifying that all federal high-cost support received within Oregon was
26 used in the preceding calendar year, and will be used in the coming
calendar year only for the provision, maintenance and upgrade of facilities
and services for which the support is intended.

27 2. The Parties acknowledge that this Partial Stipulation pertains only to annual reporting
28 requirements as initially set forth in Order 06-292; it does not relieve any carrier of
29 any special reporting requirements adopted in any other Commission order, nor does
30 it bar the inclusion of special reporting requirements for any carrier in any future
31 Commission order.

32 ///

33 ///

1 party disadvantaged by such action shall have the rights provided in OAR 860-001-
2 0350 and shall be entitled to seek reconsideration of the Commission's order.

3 9. By entering into this Second Partial Stipulation, no party shall be deemed to have
4 approved, admitted or consented to the facts, principles, methods or theories
5 employed by any other party in arriving at the terms of the Stipulation. No party shall
6 be deemed to have agreed that any part of the Second Partial Stipulation is
7 appropriate for resolving issues arising in any other proceeding.

8 10. The Second Partial Stipulation may be executed in counterparts and each signed
9 counterpart shall constitute an original document.

10 The Second Partial Stipulation is entered into by each Party on the date entered below.

11 AT&T CORP., TELEPORT
12 COMMUNICATIONS AMERICA LLC,
13 AT&T MOBILITY LLC, CRICKET
14 COMMUNICATIONS, INC.

BOOMERANG WIRELESS, LLC

14 Dated: 5/14/14

Dated: _____

15 By: Sharon L. Mullin

By: _____

16 CENTURYLINK COMPANIES (Qwest Corporation,
17 United Telephone Company of the Northwest,
18 CenturyTel of Oregon and CenturyTel of
19 Eastern Oregon)

PUBLIC UTILITY COMMISSION STAFF

19 Dated: _____

Dated: _____

20 By: _____

By: _____

22 FRONTIER COMMUNICATIONS
23 NORTHWEST INC., CITIZEN'S
24 TELECOMMUNICATIONS CO. OF
25 OREGON

Dated: _____

By: _____

1 party disadvantaged by such action shall have the rights provided in OAR 860-001-
2 0350 and shall be entitled to seek reconsideration of the Commission's order.

3 9. By entering into this Second Partial Stipulation, no party shall be deemed to have
4 approved, admitted or consented to the facts, principles, methods or theories
5 employed by any other party in arriving at the terms of the Stipulation. No party shall
6 be deemed to have agreed that any part of the Second Partial Stipulation is
7 appropriate for resolving issues arising in any other proceeding.

8 10. The Second Partial Stipulation may be executed in counterparts and each signed
9 counterpart shall constitute an original document.

10 The Second Partial Stipulation is entered into by each Party on the date entered below.

11 AT&T CORP., TELEPORT
12 COMMUNICATIONS AMERICA LLC,
13 AT&T MOBILITY LLC, CRICKET
COMMUNICATIONS, INC.

BOOMERANG WIRELESS, LLC

14 Dated: _____

Dated: 5/12/2014

15 By: _____

By: Alan J. Galbraith

16 CENTURYLINK COMPANIES (Qwest Corporation,
17 United Telephone Company of the Northwest,
18 CenturyTel of Oregon and CenturyTel of
Eastern Oregon)

PUBLIC UTILITY COMMISSION STAFF

19 Dated: _____

Dated: _____

20 By: _____

By: _____

22 FRONTIER COMMUNICATIONS
23 NORTHWEST INC., CITIZEN'S
24 TELECOMMUNICATIONS CO. OF
OREGON

25 Dated: _____

26 By: _____

1 party disadvantaged by such action shall have the rights provided in OAR 860-001-
2 0350 and shall be entitled to seek reconsideration of the Commission's order.

3 9. By entering into this Second Partial Stipulation, no party shall be deemed to have
4 approved, admitted or consented to the facts, principles, methods or theories
5 employed by any other party in arriving at the terms of the Stipulation. No party shall
6 be deemed to have agreed that any part of the Second Partial Stipulation is
7 appropriate for resolving issues arising in any other proceeding.

8 10. The Second Partial Stipulation may be executed in counterparts and each signed
9 counterpart shall constitute an original document.

10 The Second Partial Stipulation is entered into by each Party on the date entered below.

11 AT&T CORP., TELEPORT
12 COMMUNICATIONS AMERICA LLC,
13 AT&T MOBILITY LLC, CRICKET
COMMUNICATIONS, INC.

BOOMERANG WIRELESS, LLC

14 Dated: _____

Dated: _____

15 By: _____

By: _____

16 CENTURYLINK COMPANIES (Qwest Corporation,
17 United Telephone Company of the Northwest,
18 CenturyTel of Oregon and CenturyTel of
Eastern Oregon)

PUBLIC UTILITY COMMISSION STAFF

19 Dated: May 12, 2014

Dated: _____

20 By: Ron L Trullinger

By: _____

22 FRONTIER COMMUNICATIONS
23 NORTHWEST INC., CITIZEN'S
24 TELECOMMUNICATIONS CO. OF
OREGON

25 Dated: _____

26 By: _____

1 party disadvantaged by such action shall have the rights provided in OAR 860-001-
2 0350 and shall be entitled to seek reconsideration of the Commission's order.

3 9. By entering into this Second Partial Stipulation, no party shall be deemed to have
4 approved, admitted or consented to the facts, principles, methods or theories
5 employed by any other party in arriving at the terms of the Stipulation. No party shall
6 be deemed to have agreed that any part of the Second Partial Stipulation is
7 appropriate for resolving issues arising in any other proceeding.

8 10. The Second Partial Stipulation may be executed in counterparts and each signed
9 counterpart shall constitute an original document.

10 The Second Partial Stipulation is entered into by each Party on the date entered below.

11 AT&T CORP., TELEPORT
12 COMMUNICATIONS AMERICA LLC,
13 AT&T MOBILITY LLC, CRICKET
COMMUNICATIONS, INC.

BOOMERANG WIRELESS, LLC

14 Dated: _____

Dated: _____

15 By: _____

By: _____

16 CENTURYLINK COMPANIES (Qwest Corporation,
17 United Telephone Company of the Northwest,
18 CenturyTel of Oregon and CenturyTel of
Eastern Oregon)

PUBLIC UTILITY COMMISSION STAFF

19 Dated: _____

Dated: May 15, 2014

20 By: _____

By: 

22 FRONTIER COMMUNICATIONS
23 NORTHWEST INC., CITIZEN'S
24 TELECOMMUNICATIONS CO. OF
OREGON

25 Dated: _____

26 By: _____

1 party disadvantaged by such action shall have the rights provided in OAR 860-001-
2 0350 and shall be entitled to seek reconsideration of the Commission's order.

3 9. By entering into this Second Partial Stipulation, no party shall be deemed to have
4 approved, admitted or consented to the facts, principles, methods or theories
5 employed by any other party in arriving at the terms of the Stipulation. No party shall
6 be deemed to have agreed that any part of the Second Partial Stipulation is
7 appropriate for resolving issues arising in any other proceeding.

8 10. The Second Partial Stipulation may be executed in counterparts and each signed
9 counterpart shall constitute an original document.

10 The Second Partial Stipulation is entered into by each Party on the date entered below.

11 AT&T CORP., TELEPORT
12 COMMUNICATIONS AMERICA LLC,
13 AT&T MOBILITY LLC, CRICKET
COMMUNICATIONS, INC.

BOOMERANG WIRELESS, LLC

14 Dated: _____

Dated: _____

15 By: _____

By: _____

16 CENTURYLINK COMPANIES (Qwest Corporation,
17 United Telephone Company of the Northwest,
18 CenturyTel of Oregon and CenturyTel of
Eastern Oregon)

PUBLIC UTILITY COMMISSION STAFF

19 Dated: _____

Dated: _____

20 By: _____

By: _____

22 FRONTIER COMMUNICATIONS
23 NORTHWEST INC., CITIZEN'S
24 TELECOMMUNICATIONS CO. OF
OREGON

25 Dated: _____

Dated: May 12, 2014

26 By: _____

By: [Signature]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

NEXUS COMMUNICATIONS INC.

Dated: 5/12/2014

By: Alan J. Galbraith

OREGON TELECOMMUNICATIONS ASSOCIATION

Dated: _____

By: _____

T-MOBILE WEST LLC

Dated: 5/12/2014

By: Alan J. Galbraith

UNITED STATES CELLULAR CORP

Dated: 5/12/2014

By: Alan J. Galbraith

WARM SPRINGS TELECOMMUNICATIONS COMPANY

Dated: _____

By: _____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

NEXUS COMMUNICATIONS INC.

Dated: _____

By: _____

OREGON TELECOMMUNICATIONS
ASSOCIATION

Dated: May 12, 2014

By: Bt Wolf Brent Wolf

T-MOBILE WEST LLC

Dated: _____

By: _____

UNITED STATES CELLULAR CORP

Dated: _____

By: _____

WARM SPRINGS TELECOMMUNICATIONS
COMPANY

Dated: _____

By: _____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

NEXUS COMMUNICATIONS INC.

OREGON TELECOMMUNICATIONS
ASSOCIATION

Dated: _____

Dated: _____

By: _____

By: _____

T-MOBILE WEST LLC

UNITED STATES CELLULAR CORP

Dated: _____

Dated: _____

By: _____

By: _____

WARM SPRINGS TELECOMMUNICATIONS
COMPANY

Dated: 5/13/2014

By: Mansha Spellman

1 **CERTIFICATE OF SERVICE**

2 I certify that on May 15, 2014, I served the foregoing Second Partial Stipulation upon the
3 parties in this proceeding by electronic mail only as all parties waive paper service.

4 **W**
CHARLES L BEST
5 ATTORNEY AT LAW
1631 NE BROADWAY #538
6 PORTLAND OR 97232-1425
charlesbestlaw@q.com

7 **W**
JULIA REDMAN-CARTER
8 955 KACENA RD, STE A
HIWATHA IA 52233
9 jrcarter@readywireless.com

10 **W**
AT&T
CYNTHIA MANHEIM
11 PO BOX 97061
REDMOND WA 98052
12 cm9268@att.com

13 **W**
AT&T SERVICES INC
DAVID COLLIER
14 AREA MANAGER-REGULATORY
RELATIONS
15 645 E PLUMB LNM RN C-142
PO BOX 11010
16 RENO NV 89502
david.collier@att.com

17 **W**
AT&T SERVICES, INC.
SHARON L MULLIN
18 DIRECTOR--EXTERNAL AFFAIRS
2003 POINT BLUFF
19 AUSTIN TX 78746-6236
slmullin@att.com

20 **W**
ATER WYNNE LLP
ARTHUR A BUTLER
21 601 UNION STREET, STE 1501
22 SEATTLE WA 98101-3981
aab@aterwynne.com

23 **W**
BUDGET PREPAY, INC.
ROBIN ENKEY
24 1325 BARKSDALE BLVD
25 BOSSIER CITY LA 71111
robine@budgetprepay.com

W
CENTURYLINK
RON L TRULLINGER
MANAGER - OREGON REGULATORY
310 SW PARK AVE 11TH FL
PORTLAND OR 97205
ron.trullinger@centurylink.com

W
CENTURYLINK, INC.
WILLIAM E HENDRICKS
ATTORNEY
902 WASCO ST A0412
HOOD RIVER OR 97031
tre.hendricks@centurylink.com

W
CITIZENS' UTILITY BOARD OF OREGON
OPUC DOCKETS
610 SW BROADWAY, STE 400
PORTLAND OR 97205
dockets@oregoncub.org

ROBERT JENKS
610 SW BROADWAY, STE 400
PORTLAND OR 97205
bob@oregoncub.org

G. CATRIONA MCCrackEN
610 SW BROADWAY, STE 400
PORTLAND OR 97205
catriona@oregoncub.org

W
CRICKET COMMUNICATIONS INC
JULIE BUECHLER
5887 COPLEY DR
SAN DIEGO OR 92111
jubuechler@cricketcommunications.com

W
DAVIS WRIGHT TERMAINE LLP
ALAN J GALLOWAY
1300 SW FIFTH AVENUE
PORTLAND OR 97201-5630
alangalloway@dwt.com

W
DAVIS WRIGHT TREMAINE LLP
MARK P TRINCHERO
1300 SW FIFTH AVE STE 2300
PORTLAND OR 97201-5682
marktrinchero@dwt.com

W
FRONTIER COMMUNICATIONS NORTHWEST INC
GEORGE BAKER THOMSON
1800 41ST ST
EVERETT WA 98201
george.thomson@ftr.com

RENEE WILLER
20575 NW VON NEUMANN DR
SUITE 150
BEAVERTON OR 97006-6982
renee.willer@ftr.com

W
LAW OFFICE OF RICHARD A FINNIGAN
RICHARD A FINNIGAN
2112 BLACK LAKE BLVD SW
OLYMPIA WA 98512
rickfinn@localaccess.com

W
LUKAS, NACE, GUTIERREZ & SACHS
TODD B LANTOR
8300 GREENSBORO DR, #1200
MCLEAN VA 22102
tlantor@fcclaw.com

W
LUKAS, NACE, GUTIERREZ & SACHS, LLP
BROOKS HARLOW
8300 GREENSBORO DRIVE, STE 1200
MCLEAN VA 22102
bharlow@fcclaw.com

W
NEXUS COMMUNICATIONS INC
STEVEN FENKER
3629 CLEVELAND AVE, STE C
COLUMBUS OH 43223
sfenker1@earthlink.net

1 **W**
2 **OREGON**
3 **TELECOMMUNICATIONS ASSN**
4 BRANT WOLF
5 777 13TH ST SE - STE 120
6 SALEM OR 97301-4038
7 bwolf@ota-telecom.org

8 **W**
9 **PUBLIC UTILITY COMMISSION**
10 **OF OREGON**
11 KAY MARINOS
12 PO BOX 1088
13 SALEM OR 97308-1088
14 kay.marininos@state.or.us

15 **W**
16 **PUC STAFF - DEPARTMENT OF**
17 **JUSTICE**
18 JOHANNA RIEMENSCHNEIDER
19 BUSINESS ACTIVITIES SECTION
20 1162 COURT ST NE
21 SALEM OR 97301-4796
22 johanna.riemenschneider@doj.state
23 .or.us

W
T-MOBILE USA INC
TERI OHTA
12920 SE 38TH ST
BELLEVUE WA 98006
teri.ohta@t-mobile.com

W
UNITED STATES CELLULAR CORP
STEPHANIE CASSIOPPI
8410 WEST BRYN MAWR AVENUE
CHICAGO IL 60631-3486
stephanie.cassioppi@uscellular.com

W
WARM SPRINGS
TELECOMMUNICATIONS
MARSHA SPELLMAN
10425 SW HAWTHORNE LN
PORTLAND OR 97225
marsha.spellman@warmspringstelec
om.com

W
WARM SPRINGS
TELECOMMUNICATIONS
COMPANY
JOSE MATANANE
PO BOX 910
WARM SPRINGS OR 97761
jose.matanane@warmspringsteleco
m.com



Neoma Lane
Legal Secretary
Department of Justice
Business Activities Section