

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1908, UM 2206

In the Matter of

LUMEN TECHNOLOGIES,<sup>1</sup>

Proposed Commission Action Pursuant to  
ORS 756.515 to Suspend and Investigate  
Price Plan (UM 1908), and

QWEST CORPORATION,

Investigation Regarding the Provision of  
Service in Jacksonville, Oregon and  
Surrounding Areas (UM 2206).

Price Plan Investigation.

**PREHEARING CONFERENCE  
MEMORANDUM**

On September 19, 2023, the Public Utility Commission of Oregon held a prehearing conference in this docket. Lumen Technologies, the Oregon Citizens' Utility Board (CUB), and Staff of the Public Utility Commission of Oregon appeared through their representatives, and Priscilla Weaver appeared personally.

The parties discussed and proposed a procedural schedule at the prehearing conference. CUB and Priscilla Weaver requested that the Commission set a date for an evidentiary hearing, while Lumen and Staff maintained that there were no factual issues necessitating an evidentiary hearing. To the extent that the Commission set a date for an evidentiary hearing, however, the parties proposed November 16, 2023.

The Commission will schedule an evidentiary hearing in these proceedings. The parties proposed the morning of November 16, 2023, to hold a hearing in this matter. Due to scheduling conflicts, the hearing is now scheduled for 1:30 p.m., on November 15, 2023. The procedural schedule as proposed by the parties, is adopted as set forth below.

<b>EVENT</b>	<b>DATE</b>
Lumen/Staff Stipulation and Testimony	October 10, 2023
Intervenor Objections and Testimony	October 24, 2023
Lumen/Staff Reply Testimony	November 7, 2023
Cross Exam Statements and Exhibits	November 10, 2023

<sup>1</sup> Formerly known as Qwest Corporation, United Telephone Company of the Northwest, CenturyTel of Oregon, and CenturyTel of Eastern Oregon.

Hearing	November 15, 2023, at 1:30 p.m.
Simultaneous Opening Briefs	December 1, 2023
Simultaneous Closing Briefs	December 22, 2023
Target Order Date	February 9, 2024

As stated in the scheduling memorandum issued on December 8, 2022, the filing deadline for all dates in this procedural schedule is 3:00 p.m. on the date of the event.

Dated this 25th day of September, 2023, at Salem, Oregon.



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Sarah Spruce  
Administrative Law Judge

Attachment: Notice of Contested Case Rights and Procedures

## NOTICE OF CONTESTED CASE RIGHTS AND PROCEDURES

Oregon law requires state agencies to provide parties written notice of contested case rights and procedures. Under ORS 183.413, you are entitled to be informed of the following:

**Hearing:** The time and place of any hearing held in these proceedings will be noticed separately. The Commission will hold the hearing under its general authority set forth in ORS 756.040 and use procedures set forth in ORS 756.518 through 756.610 and OAR Chapter 860, Division 001. Copies of these statutes and rules may be accessed via the Commission's website at [www.puc.state.or.us](http://www.puc.state.or.us). The Commission will hear issues as identified by the parties.

**Right to Attorney:** As a party to these proceedings, you may be represented by counsel. Should you desire counsel but cannot afford one, legal aid may be able to assist you; parties are ordinarily represented by counsel. The Commission Staff, if participating as a party in the case, will be represented by the Department of Justice. Generally, once a hearing has begun, you will not be allowed to postpone the hearing to obtain counsel.

**Notice to Active Duty Servicemembers:** Active Duty Servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571 or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free telephone number.

**Administrative Law Judge:** The Commission has delegated the authority to preside over hearings to Administrative Law Judges (ALJs). The scope of an ALJ's authority is defined in OAR 860-001-0090. The ALJs make evidentiary and other procedural rulings, analyze the contested issues, and present legal and policy recommendations to the Commission.

**Hearing Rights:** You have the right to respond to all issues identified and present evidence and witnesses on those issues. *See* OAR 860-001-0450 through OAR 860-001-0490. You may obtain discovery from other parties through depositions, subpoenas, and data requests. *See* ORS 756.538 and 756.543; OAR 860-001-0500 through 860-001-0540.

**Evidence:** Evidence is generally admissible if it is of a type relied upon by reasonable persons in the conduct of their serious affairs. *See* OAR 860-001-0450. Objections to the admissibility of evidence must be made at the time the evidence is offered. Objections are generally made on grounds that the evidence is unreliable, irrelevant, repetitious, or because its probative value is outweighed by the danger of unfair prejudice, confusion of the issues, or undue delay. The order of presenting evidence is determined by the ALJ. The burden of presenting evidence to support an allegation rests with the person raising the allegation. Generally, once a hearing is completed, the ALJ will not allow the introduction of additional evidence without good cause.

Notice of Contested Case Rights and Procedures continued

**Record:** The hearing will be recorded, either by a court reporter or by audio digital recording, to preserve the testimony and other evidence presented. Parties may contact the court reporter about ordering a transcript or request, if available, a copy of the audio recording from the Commission for a fee set forth in OAR 860-001-0060. The hearing record will be made part of the evidentiary record that serves as the basis for the Commission's decision and, if necessary, the record on any judicial appeal.

**Final Order and Appeal:** After the hearing, the ALJ will prepare a draft order resolving all issues and present it to the Commission. The draft order is not open to party comment. The Commission will make the final decision in the case and may adopt, modify, or reject the ALJ's recommendation. If you disagree with the Commission's decision, you may request reconsideration of the final order within 60 days from the date of service of the order. *See* ORS 756.561 and OAR 860-001-0720. You may also file a petition for review with the Court of Appeals within 60 days from the date of service of the order. *See* ORS 756.610.