

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: February 27, 2018**

REGULAR  CONSENT  EFFECTIVE DATE February 28, 2018

DATE: February 15, 2018

TO: Public Utility Commission

FROM: Stephen Hayes *SH*

THROUGH: Jason Eisdorfer, Bryan Conway *BC*, and Bruce Hellebuyck *BH*

SUBJECT: UNITED TELEPHONE COMPANY OF THE NORTHWEST:  
(Docket No. ADV 714/Advice No. 18-01) Establishes Concurrence with  
Qwest Residential Service Protection Fund (RSPF) Tariff Section,  
Correcting Previous Tariff Omission

**STAFF RECOMMENDATION:**

On January 23, 2018, United Telephone Company of the Northwest (United or Company) filed Advice Letter No. 18-01. The filing proposes to adopt by reference a Qwest tariff section describing terms and conditions related to the RSPF. Staff recommends the filing be allowed to go into effect.

**DISCUSSION:**

Issue

Whether the tariff sheets proposed by United's Advice Letter should be approved by the Commission.

Applicable Law

United is regulated under the Price Plan approved by the Commission on October 7th, 2014 in Order No. 14-347 in Docket No. UM 1686. Exhibit A, Section P of that order requires tariff filings at least 30 days prior to the effective date for price changes or other changes to terms and conditions for services.

The Price Plan also requires the Company to continue to offer current Telephone Assistance Plans pursuant to state and federal requirements (Order No. 14-347, Exhibit A, Section C).

### Analysis

United's filing meets the 30-day prior notice requirement.

United's proposed tariff filing adopts by reference all of the rates, terms and conditions offered by Qwest Corporation d/b/a CenturyLink QC (Qwest) in its P.U.C. Oregon No. 33, Exchange and Network Services, Section 2, 2<sup>nd</sup> Revised Sheet 65.

In December 2017, CenturyLink reviewed its current tariff language and requested Staff's assistance in making administrative changes to the RSPF section of Qwest's tariff. During this review, the Company discovered that United's tariff inadvertently did not include an RSPF section. This filing corrects that omission by adding a concurrence in Qwest's newly revised RSPF section.

As to one tariff adopting the terms, rates, and conditions of another tariff by reference, Staff generally discourages such a practice. Tariffs should be stand-alone documents that contain everything necessary to understand their rates, terms and conditions. However, Staff is in favor of allowing limited "adoptions by reference" for certain discrete public purpose related tariff provisions for the following reasons. First, allowing tariff adoptions by reference may decrease the Company's and Commission's administrative burden due to future changes to the RSPF terms, which Staff anticipates would affect the companies equally. Second, the adopted tariff rates, terms and conditions refer entirely to Qwest's tariff. Therefore, once the reader accesses the referenced Qwest tariff, they do not have to go back and forth between the United and Qwest tariffs. Finally, there is precedence for this limited approach in the CenturyTel and Qwest Price lists.

### Conclusion

Staff concludes that United's proposed tariff, which adopts, by reference, Qwest's newly revised RSPF tariff section, is acceptable. Qwest's tariff provides all of the rates, terms and conditions relative to United's offering of RSPF. United's proposed tariff filing provides some regulatory relief from multiple filings when rates, terms or conditions of public purpose programs such as RSPF change. Staff takes no position on whether future adoptions by reference would be appropriate.

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**PROPOSED COMMISSION MOTION:**

Allow the tariff sheets filed with United Telephone Company of the Northwest d/b/a CenturyLink Advice No. 18-01 to go into effect on February 28, 2018.

United.02282018.RSPF.Concurrence