

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: November 21, 2019**

REGULAR **CONSENT** **EFFECTIVE DATE** December 1, 2019

DATE: October 31, 2019

TO: Public Utility Commission

FROM: Malia Brock

THROUGH: Michael Dougherty, Bryan Conway, and Bruce Hellebuyck

SUBJECT: FRONTIER COMMUNICATIONS NORTHWEST INC.:
(Docket No. ADV 1024/Advice No. 1070)
Federal Lifeline and Oregon Telephone Assistance Program Revisions.

STAFF RECOMMENDATION:

Staff recommends that the filed tariff be allowed to go into effect.

DISCUSSION:

Issue

Whether to allow the revised tariff filed by Frontier Communications Northwest Inc. (Frontier) to go into effect.

Applicable Law

Telecommunications utilities are required under ORS 759.175 to submit tariff filings to the Commission whenever they intend to change their rates, terms, or conditions of service. On August 17, 2018, with Order 18-303 (Docket No. UM 1895), the Commission approved a Price Plan to both Frontier and its affiliate, Citizens Telecommunication Company of Oregon (Citizens) allowed by ORS 759.255.¹

Section 7 of the Price Plan allows Frontier to petition the Commission for adjustments to the Price Plan to reflect material changes outside Frontier's control that would have an overall material effect on Frontier, such as a decrease in FCC support. Section 9.a.ii of the Price Plan requires tariff filings to be made at least 30 days prior to their effective dates.

¹ Order No. 18-303 was amended on February 14, 2019, with Order No. 19-038.

Analysis

In its October 17, 2019 filing, Frontier proposed to revise Section IV, Sheet 86 of its tariff, P.U.C. OR. No. 18, to conform to FCC regulations in which the federal Lifeline support amount for voice telephone service will decline to \$7.25 per month effective December 1, 2019.² Using an annual phase down schedule, the FCC's objective is to modernize the Lifeline program by transitioning the support to broadband internet access service before eliminating it for voice telephone service.³

Frontier also proposed to incorporate a revision that indicates the Oregon Telephone Assistance Program (OTAP) support amount of \$3.50 will be available for broadband internet access service, effective January 1, 2020. Prior to the enactment of Senate Bill 69 in 2019, the OTAP subsidy was limited to voice telephone service.

The filing was submitted on October 17, 2019, with an effective date of December 1, 2019, and therefore complies with the applicable 30-day filing requirement.

Conclusion

Staff finds that the filing complies with applicable FCC regulations, Oregon statutes, the requirements of the Frontier Price Plan and therefore, should be allowed to go into effect.

PROPOSED COMMISSION MOTION:

Allow Frontier Advice No. 1070 to go into effect for service rendered on and after December 1, 2019.

Frontier.1070.Lifeline

² 47 C.F.R. Section 54.403(a)(2)(ii).

³ FCC Lifeline Modernization Order, WC Docket No.11-42, issued April 27, 2016.