

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UM 1908, UM 2206

IN THE MATTER of
LUMEN TECHNOLOGIES

INTERVENOR PRISCILLA WEAVER'S OBJECTIONS TO
PRICE PLAN AND STIPULATION REGARDING PROPOSED
PRICE PLAN

I, Priscilla Weaver, am an intervenor and Lumen land line customer. I submit these objections to the Stipulation filed by Staff and Lumen on October 9, 2023, concerning the proposed Price Plan that will determine how much CenturyLink can raise its land line rates statewide for the next several years. I am compelled to object because Staff and Lumen are urging the Commission to eviscerate its own Orders¹ that the Commission found were necessary to protect the rural area near Jacksonville in the event of emergencies.

It is the RJ Orders, and only the RJ Orders, that are keeping our unreliable phones promptly repaired when they fail. As shown by the factual record laid out in my accompanying testimony, the threat of substantial fines for allowing our phones to remain dysfunctional for days and weeks at a time has been effective and the RJ Orders very much need to stay in place and continue to be enforced.

¹ Three Orders were entered in UM 2206 in response to service quality issues in rural areas with CenturyLink's Jacksonville call center: Order No. 22-340 entered on September 23, 2022, as modified by Order No. 22-422 on October 28, 2023, as affirmed by Order No. 23-109 entered on March 21, 2023 ("Rural Jacksonville Orders" or "RJ Orders").

Objections to the Terms of the Stipulation.

I object to paragraph 14 of the Stipulation because stopping the operation and enforcement of the RJ Orders (innocuously labeled “suspension” in the Stipulation) while Lumen strings fiber optic cable is premature. The years and years of miserable service quality that finally led to the entry of the RJ Orders is only going to get worse when CenturyLink turns its attention to installing the fiber optic cable that will enable Lumen to market pricey broadband and other products promising a higher profit.

I object to paragraph 14 of the Stipulation because there is no good cause to stop the operation and enforcement of the RJ Orders during the cable-stringing process. The absence of good cause is easily demonstrated in my testimony by looking at the illusory nature of the facts describing the new “service quality” scheme proposed for the Price plan. In short, the new “Protected Class” system does not “incorporate the protections present” in the RJ Orders, either directly or indirectly. If anything, the new scheme directly guts the RJ Orders.

I also object because the “Suspension Agreement” is not a just outcome. Nothing that happens during the promised RDOF build – wherever it is taking place – will substitute for the enforcement mechanism in the RJ Orders. As described in my testimony, the reporting process in the proposed Price Plan scheme does not work for the rural Jacksonville area covered by the RJ Orders and there is not one word in the Stipulation about any workable (i.e., meaningful and swift) remedy the first time our phones go out and stay out once the wire-stringing “Suspension” period begins.

I object because my community and I are part of the public whose interests are supposed to be safeguarded by the Commission. To accept the Stipulating Parties’

recommendation would not be in the public interest for the reasons already stated here and as further explained in my accompanying testimony. (Stipulation pars. 5 and 6).

Objections to Attachment C to the Stipulation ("Agreement on Suspension of Commission Orders in Conjunction with Jacksonville RDOF Build").

I object to Attachment C in its entirety as being unwarranted under the facts of this unique case, and also as unjust, contrary to the facts, and not consistent with either Lumen's obligations under the COLR or the general statutory and regulatory and contractual requirements to provide dependable and consistently reliable land line service.

I further object to Attachment C in its entirety as against the fundamental public policy of ensuring the customers affected by the RJ Orders (i.e., the public whose interests are supposed to be served) receive the safe and reliable land line service required by Oregon law and for which they are paying monthly and which they are entitled to receive.

I object that nothing in the proposed Price Plan, in the Stipulation, in the "Suspension" Agreement, or in any of the submitted testimony, justifies shelving and then overturning RJ Orders that were contested, appealed, and affirmed. CenturyLink had the opportunity to appeal the RJ Orders to a higher court and chose for its interests not to do so.

I object because Attachment C and the accompanying testimony purposely say nothing about the undeniable fact that the CenturyLink infrastructure in the Jacksonville area is still unreliable and unsafe and will continue to be unreliable throughout the period of the promised RDOF build and thereafter, except for eventually providing better-quality wires for 40-50% of the customers. The only thing that has changed is Lumen's desire to get out from under the

threat of meaningful enforcement, namely serious fines, for violations of their legal and contractual obligations.

I object because the rationales put forward in support of the recommendation to gut the RJ Orders while Lumen strings wires to some of our homes (the Price Plan protections are better and the regulatory and administrative burden will be lessened) are utterly without merit, as more fully set forth in my testimony.

I object to the "Suspension" Agreement and its reliance on pages 1-7, 10-11 and Attachment E of the Price Plan (Stip. Attachment A) as nothing more than pages of formulas, charts, and soothing but misleading language, e.g., "Protected Customers," crafted to create the appearance of compliance and responsible customer service.

I object to Attachment C and the accompanying testimony because they lack factual support for stopping the RJ Orders during fiber optic cable installation and then terminating them entirely.

In compliance with the procedural Orders setting out filing and hearing schedules in this matter, Intervenor I also submit testimony setting forth the support for my objections.

For the reasons stated herein and in my testimony and supporting exhibits, I respectfully request that the Commission reject the Suspension Agreement that is Attachment C to the Stipulations and Price Plan submitted by the PUC Staff and Lumen, and that in adopting the Price Plan, the Commission do nothing to suspend or lift or in any other way dilute the provisions of the RJ Orders and if anything, affirm the RJ Orders' continuing operation and enforcement notwithstanding the adoption of the Price Plan.

Respectfully submitted,



Dated: October 24, 2023

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