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October 22, 2010

**BY US MAIL & EMAIL**

Shani Pines  
Administrative Law Judge  
Public Utility Commission of Oregon  
550 Capitol St. NE #215  
PO Box 2148  
Salem, OR 97308-2148  
[shani.pines@state.or.us](mailto:shani.pines@state.or.us)

**Re: UM 1437; In the Matter of Tracfone Wireless, Inc. – Application for Designation as an Eligible Telecommunications Carrier**

Dear Judge Pines:

I am writing on behalf of TracFone Wireless, Inc. ("TracFone").

As you will recall, on August 25, 2010, you issued a Ruling granting TracFone's request to suspend proceedings in this docket for 60 days and requiring TracFone to file an update within that period indicating whether it requests the Commission to reactivate the docket. You also stated that if TracFone requests reactivation, the Commission would schedule a prehearing conference to address outstanding issues and set a procedural schedule.

I am writing to inform you and the parties that TracFone does intend to proceed with its Application and requests that this docket be reactivated.

As you may recall, there were several outstanding discovery issues pending, including CUB's motion to compel, at the time the Commission suspended this docket. Prior to participating in a scheduling conference, TracFone would like to attempt to resolve those issues with the other parties. In addition, TracFone would like to discuss a

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procedural schedule with the other parties with the hope of presenting an agreed-upon schedule to the Commission. For these reasons (and in view of other parties' schedules), TracFone requests that the Commission schedule a prehearing conference no earlier than November 29, 2010.

TracFone also requests that the Commission continue TracFone's extension of time to respond to CUB's pending motion to compel discovery so the parties can attempt to resolve those issues. CUB and/or TracFone will notify you once we have either resolved all of the discovery issues or determined that the Commission will need to decide at least some of the issues raised by CUB, and a further briefing schedule can be established at that time. I am authorized to state that CUB agrees with this approach.

Thank you for your attention to this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Lawrence Reichman', with a long horizontal flourish extending to the right.

Lawrence Reichman

cc: Service list

## CERTIFICATE OF SERVICE

I hereby certify that I have this 22nd day of October, 2010, served the foregoing **LETTER TO ALJ SHANI PINES** upon all parties of record in this proceeding by causing a copy to be sent by electronic mail and U.S. mail to the following addresses (as indicated below):

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