

ITEM NO. CA3

PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: March 7, 2017

REGULAR \_\_\_\_\_ CONSENT X EFFECTIVE DATE \_\_\_\_\_ NA \_\_\_\_\_

DATE: February 22, 2017

TO: Public Utility Commission

FROM: Malia Brock *MB*

THROUGH: Jason Eisdorfer, Bryan Conway, and Bruce Hellebuyck *MB*

SUBJECT: DOUGLAS SERVICES, INC.: (Docket No. UM 1819) Petition for exemption from service quality reporting requirements under OAR 860-032-0012(15)(c).

**STAFF RECOMMENDATION:**

Staff recommends that the Commission grant the petition but expressly reserve the authority to revoke the exemption for cause as explained in the Staff report.

**DISCUSSION:**

Issue

Douglas Services, Inc., dba Douglas FastNet (DFN) is certified as a Competitive Telecommunications Provider in the state of Oregon. On February 3, 2017, DFN filed a petition pursuant to Oregon Administrative Rule (OAR) 860-032-0012(15)(c) requesting exemption from the monthly Service Quality Reporting requirement.

Applicable Law

OAR 860-032-0012(15)(c) states: "The Commission may grant a competitive telecommunications provider's petition for an exemption from service quality reporting requirements if the competitive telecommunications provider meets all service quality objective service levels set forth in sections (4) through (8) of this rule for the 12 months prior to the month in which the petition is filed."

### Analysis

DFN has met all service quality objective service levels as set forth in sections (4) through (8) of OAR 860-032-0012 for the 12 consecutive months ending in December 2016. Staff has reviewed Consumer Services Division archives of complaints relating to DFN and found no complaints within the study period. Staff notes that granting an exemption request under the rule does not vacate DFN's continuing requirement to measure service quality metrics, gather information and retain a complete record of service quality data for up to one year as outlined in OAR 860-032-0012.

DFN's request, if granted, would only exempt DFN from submitting Service Quality Reports to the Commission on a monthly basis. Any exemption from Service Quality Reporting may be revoked upon a showing by Staff that service has degraded, primarily by a resumption of service complaints.

### Conclusion

DFN has met all criteria outlined in OAR 860-032-0012(15)(c) to qualify for an exemption from monthly Service Quality Reporting.

### **PROPOSED COMMISSION MOTION:**

Approve the request for exemption to cease reporting service quality results subject to revocation upon a showing by Staff that service has degraded.