

ORDER NO. 12 088

ENTERED MAR 13 2012

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1577

In the Matter of

RIO NETWORKS, INC.

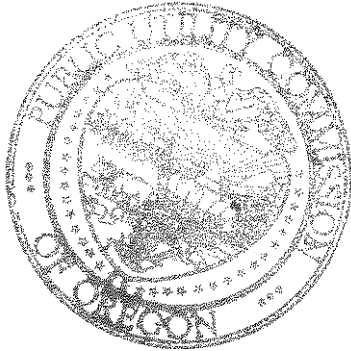
Petition for Exemption from OAR 860-032-
0012 (4) through (8).

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its Public Meeting on March 13, 2012, the Public Utility Commission of Oregon adopted Staff's recommendation in this matter, attached as Appendix A.

BY THE COMMISSION:



Becky L. Beier

Becky L. Beier
Commission Secretary

A party may request rehearing or reconsideration of this order under ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: March 13, 2012**

REGULAR _____ CONSENT X EFFECTIVE DATE _____ N/A _____

DATE: February 16, 2012

TO: Public Utility Commission

FROM: Malia Brock *MB*

THROUGH: *BA* Bryan Conway and *JE* Irv Emmons

SUBJECT: RIO NETWORKS INC.: (Docket No. UM 1577) Petition for exemption of service quality reporting requirements under OAR 860-032-0012(15)(c).

STAFF RECOMMENDATION:

In support of the petition filed by Rio Networks Inc. (Rio Networks), staff recommends that the Commission grant the petition but expressly reserve the authority to revoke the exemption for cause as explained in this Staff report.

DISCUSSION:

On February 6, 2012, Rio Networks filed a petition pursuant to Oregon Administrative Rule (OAR) 860-032-0012(15)(c) requesting exemption from the rule's monthly Service Quality Reporting requirement. Rio Networks is certified as a Competitive Telecommunications Provider in the state of Oregon.

Rio Networks 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 2011. Staff has reviewed Consumer Services Division archives of complaints relating to Rio Networks and found no complaints within the study period.

Staff notes that granting an exemption request under the rule does not vacate Rio Networks' 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. Rio Networks' request, if granted, would only exempt Rio Networks 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.

Rio Networks Inc.
February 16, 2012
Page 2

PROPOSED COMMISSION MOTION:

Rio Networks' request for the exemption to cease reporting service quality results be approved subject to revocation upon a showing by Staff that service has degraded.

Rio Networks exemption