Portland General Electric Company
Legal Department
121 SW Salmon Street • Portland, OR 97204
503-464-8858 • facsimile 503-464-2200

Barbara W. Halle
Assistant General Counsel

November 17, 2006

Via Electronic Filing and U.S. Mail

Oregon Public Utility Commission
Attention: Filing Center
PO Box 2148
Salem OR 97308-2148

Re: AR 506

Attention Filing Center:

Enclosed for filing in the captioned dockets are an original and two copies of:

- **FINAL COMMENTS OF PORTLAND GENERAL ELECTRIC COMPANY**

This document is being filed by electronic mail with the Filing Center.

An extra copy of this cover letter is enclosed. Please date stamp the extra copy and return it to me in the envelope provided.

Thank you in advance for your assistance.

Sincerely,

BARBARA W. HALLE

BWH:jbf
Enclosure

cc: Service List – AR 506

BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

AR 506/AR 510

In the Matter of	)	**FINAL COMMENTS OF**
Rulemaking to Amend and Adopt Permanent	)	**PORTLAND GENERAL ELECTRIC**
Rules in OAR 860, Divisions 024 and 028	)	**COMPANY**
Regarding Pole Attachment Use and Safety.	)	

INTRODUCTION

Portland General Electric ("PGE") appreciates the opportunity to file final comments in Phase II of this rulemaking. Our comments are divided into two sections. The first is a discussion of some selected issues raised in this docket to which PGE hopes the Commission will pay particular attention, or on which the Administrative Law Judge has requested that the parties specifically comment. The second is a rule-by-rule list that contains PGE's recommendations for final language to be adopted by the Commission. PGE has also joined in a separate filing, made by itself, PacifiCorp and Idaho Power Company, that urges the Commission to address issues related to wireless attachments in a separate docket.

This has been a long process, and PGE appreciates the time taken and effort made by many parties, in particular the Board members of the Oregon Joint Use Association ("OJUA"), to achieve the difficult task of sifting through the many issues and concerns and coming up with a reasonable set of final rules. PGE hopes that the Administrative Law Judge, and the Commission, will carefully consider its comments filed in this docket as the final rules are drafted.

DISCUSSION OF SPECIFIC ISSUES

I. POLES VS. TOWERS

One of the questions that have been raised in this docket is whether the rules to be adopted will apply to attachments on utility transmission towers as well as utility poles. In order to answer this question, one must first look to the statutory language that these rules are intended to implement.

ORS 757.270(1), the statutory definition of "attachment" states:

> "Attachment" means any wire or cable for the transmission of intelligence by telegraph, telephone or television (including cable television), light waves, or other phenomena, or for the transmission of electricity for light, heat or power, and any related device, apparatus, or auxiliary equipment, installed upon any pole or in any telegraph, telephone, electrical, cable television or communications right of way, duct, conduit, manhole or handhold or **other similar facility or facilities** owned or controlled, in whole or in part, by one or more public utility, telecommunications utility or consumer-owned utility. (emphasis supplied.)

As the word "tower" is never mentioned in the statute at all, and since the rules of statutory construction dictate that one must first look to the language in the statute itself to determine legislative intent [See: *Portland General Electric Company vs. Bureau of Labor and Industries*, 859 P.2d 1143 (1993)], one must interpret the words in bold above in order to determine whether towers are included. In other words, the question is: are utility transmission towers "other similar facilities"? The most reasonable answer to that question is "no."

Utility transmission towers, as referred to in this discussion, are physically dissimilar from poles. They are tubular steel or lattice structures, many with at least a 400 square foot footprint, unlike wood poles. Steel transmission towers are generally between 80-120 feet above ground, as opposed to utility poles, that are typically 40-75 feet above the ground. They most often carry transmission lines only (in most cases, 115 kV and above), with no distribution underbuild.

Where permitted by the utility owner, attachments to transmission towers are never made according to a cookie cutter process. Every transmission tower must be analyzed for load, both wind and ice, reliability concerns and other forces in its specific location in order to determine if an attachment is feasible and, if so, where the attachment could be located. This is complex and time-consuming. Consideration must be given to issues like grounding, radio frequency interference, system reliability and worker safety. Standard response times, like the ones being sought for the granting of permit applications and make ready work in this docket, simply could not apply.

Moreover, transmission towers are generally not located in the same places that utility poles are located. They are typically found on private rights-of-way, not public, and the basis for the utility's right to place its transmission towers in those locations is a private easement or other contractual right specific to that utility and that location (or an extended series of locations). It is highly unlikely that the rights granted to the utility include granting permission for third parties to use the space occupied by the transmission tower. And, it should be noted, the rights needed include not only the right to attach to the transmission tower, but also the right to enter the land with trucks or other vehicles carrying equipment for installation, maintenance, and repair of the equipment whose attachment is sought. The Commission does not have the authority to alter these existing contracts, or to force private parties to enter into different ones.

Perhaps most importantly, the required level of reliability for the power lines is different between poles and transmission towers. Utilities make commitments to other utilities on reliability levels, including to the local regional transmission organization. If the utility is going to take a line on a transmission tower out of service, it generally must be scheduled 45 days in advance. There are also certain times of the year where any planned outage is difficult to

arrange. Since in most cases the transmission lines must be taken out of service when an attachment is installed or adjusted or maintained or removed, one can see how mandating access to such transmission towers could cause regional power reliability problems that the Legislature probably did not intend, and certainly did not desire, to cause.

Finally, had the Legislature intended to include towers in its "laundry list" of facilities to which the attachment law applies, it certainly did not lack the information necessary to do so when the statute was passed (1979), or at the time of later enactments (1989, 1999). PGE had many transmission towers in place in 1979. A review of Oregon law reveals that the Legislature has, in fact, included "towers" specifically in other legislation. Examples of this include:

ORS 215.283 – **Uses permitted in EFUs**

(1)(d) - Utility facilities necessary for public service, including wetland waste treatment systems but not including commercial facilities for the purpose of generating electrical power for public use by sale or **transmission towers** over 200 feet in height.

ORS 221.470 – **Removal of structures on expiration of grant or franchise**

(1) – "All property and materials (including poles, posts, **towers**,....)"

ORS 772.210 – **Construction of service facilities, right of entry and condemnation of lands**

(1)(b) – "Condemn such lands not exceeding 100 feet in width for its lines (including poles, **towers**, wires, etc...)"

For all of these reasons, the appropriate conclusion should be that transmission towers are not "similar facilities" within the meaning of the statute, and therefore the rules in Division 28 do not apply to any attachments made, or desired to be made, on transmission towers. Utilities should be free to decide whether they can legally, or should from a safety, reliability or engineering perspective, grant any access to their transmission towers and, if so, under what terms and conditions.[1] The statute does not mandate otherwise.

[1] PGE has granted access to certain transmission towers in the past, and expects to continue to evaluate and grant such requests on a case by case basis.

II. WIRELESS ATTACHMENTS

An important question to be resolved as this docket proceeds to a final order is whether the pole attachment statutes, ORS 757.270 et seq., apply to attachments made by wireless carriers, including providers of telecommunications services and of information services. This is important because the mandate for these rules comes from the statutes; if the statutes cannot be read to apply to wireless attachments, then the rules promulgated under them should not apply to wireless attachments either.

While the definition of "attachment" in ORS 757.270(1) applies, by its terms, to "wire or cable," and much of the equipment used by the wireless carriers is neither wire nor cable, the additional language "any related device, apparatus, or auxiliary equipment" is broad enough to encompass the antennas and other equipment they are primarily attaching to the poles. The fact is that the industry itself, and the technology it employs, did not exist when the original statute was passed, but this should not prevent the Commission from taking a modern view of the language based on the need for a regulatory scheme that addresses access to utility poles and conduits, as well as rates, terms and conditions, in a comprehensive, thorough manner.

In addition, the sorts of services provided by wireless carriers that have been described in this docket are generally the same sorts of services that are being provided by the other entities that qualify as "licensees" under the statutory language. ORS 757.270(3). In order to operate, they must have been granted certificates to provide telecommunications services in the state of Oregon by the Commission. One can also construe that the wireless carriers have been "authorized to construct attachments upon, along, under or across the public ways" in that they have been granted permission to operate their systems in public rights of way by governmental entities. Finally, as the state of Oregon has certified to the FCC that it regulates the rates, terms

and conditions of pole attachments, the Commission should view its jurisdiction broadly to avoid questions about the meaning and extent of the self-certification.[2]

However, the Commission is not required, by statute or otherwise, to apply all of these rules to attachments made by wireless carriers, particularly if the attachments are being made outside of the communications space and in close proximity to high voltage power lines. As has been noted by Staff, these wireless attachments, both from the perspective of location and of types of equipment to be attached, present some very different and varied issues that have not been addressed in this docket so far. To allow such attachments to be covered by the rules, in anything like the form proposed by Staff, the OJUA, or other, non-wireless participants, would likely lead to confusion and litigation in front of the Commission. Moreover, PGE believes it would be irresponsible to ignore the many safety and other concerns raised by Staff in an effort to finally bring this docket to a close by the original deadline. To achieve the statutory mandate in section (1) of ORS 757.282, only a thorough development and discussion of all of the issues presented by wireless attachments will do.[3]

Finally, the Commission should not be misled by arguments that failure to apply these rules to wireless carriers would run afoul of the prohibition against unjust discrimination under ORS 757.325. What is prohibited by the statute is "undue or unreasonable" prejudice or disadvantage against any particular person, or an undue or unreasonable preference or advantage to any particular person. ORS 757.325(1). A failure of a utility to apply a rule to a person where the Commission has expressly reserved time for further rulemaking and evaluation with regard to such persons is anything but "undue or unreasonable" – it is completely reasonable and

[2] Of course, jurisdiction of the Commission regarding those aspects of pole attachments related to safety can be separately derived from ORS 757.035.

[3] Please see the Joint Comments of PGE, PacifiCorp and Idaho Power for more discussion on this subject.

appropriate. Further, the charges, terms and conditions applied by pole owners to such pole occupants are presumed just and reasonable where set by private agreement, as they currently are. ORS 757.285.[4] ORS 757.020, therefore, should not be a concern either.

While PGE does not recommend such a decision, should the Commission decide to apply any of the rules proposed in this docket to wireless carriers, particularly with regard to the rental rates under OAR 860-028-0110, it should limit such application to attachments made in the communications space. This is a type of location of attachment that Staff originally intended to cover, the issues related to such attachments have at least been thoroughly discussed and aired in AR 506 and AR 510.

III. RENTAL RATE CALCULATION

A. Double Counting Costs.

As a preliminary matter, with regard to OJUA's proposed language for OAR 860-025-0020 and 860-028-0110 in general, and PGE's rate calculation methodology in particular, there is no basis for assertions made that rental rates would or do involve double counting of costs. In PGE's case, all components within the proposed rate include costs from specific, distinct FERC accounts. Under the proposed rule, as in the past, the following will be true: (1) PGE's costs will be recorded individually to these FERC accounts and not applied to more than one FERC account. (2) Any administrative costs that PGE applies to its pole attachment rate will be recorded in FERC accounts other than those included in the base calculation, as PGE cannot charge such costs simultaneously to two separate FERC accounts. (3) Separate billings for all incremental costs identified in 860-028-0110(3) (e.g., for permit application processing, special

[4] This presumption could only be defeated where a complaint had been filed in accordance with ORS 757.285, and to date no wireless carrier has done so against PGE, or to any other pole owner in Oregon, to the best of PGE's knowledge.

inspections, preconstruction activity, post construction inspection, make ready work, etc.) will be applied to the FERC account in which the original charges were incurred and will directly offset those costs. (4) To verify the accuracy of PGE's books and records, they are audited each year by independent external auditors and the OPUC Staff also reviews significant numbers of PGE costs and transaction listings during audits and rate cases. (5) All PGE billings for pole attachment revenues will be recorded in FERC account 454, Rent from Electric Property. These rents are applied as an offset to PGE's revenue requirement in all general rate cases. Consequently, the rental revenue PGE receives from pole attachments reduces the retail rates PGE charges to its electric utility customers, and not double recovered, as has been alleged.

B. Usable Space.

PGE supports the OJUA's proposed language in 860-028-0110: "The pole attachment rental rate per foot is computed by multiplying the pole cost by the carrying charge and then dividing the resultant product by the usable space per pole." The Commission should recognize, however, that by formally adopting this rule, the pole attachment rate effectively represents a subsidy from pole owners (i.e., primarily electric utility customers) to pole attaching entities (i.e., primarily telecom and cable customers). This occurs because the calculation is essentially the FCC cable rate that unitizes the pole cost by usable space. As usable space increases, the rental rate decreases for individual pole attachments. Consequently, if the Commission chooses to adopt the proposed rate formula, it should follow Staff's recommendation and not consider increasing the usable space in these rules. Ultimately, this formula has the effect of attributing only the portion of the pole used for the attachment (as a fraction of usable space) to determine the attachment rate and attributes the remainder, and vast majority of the pole, to the pole owner and its customers. An alternative rate (as an example, the FCC telecom rate) would reflect the

fact that the entire pole supports all attachments, and more of the pole cost, both the usable and the unusable portions that benefit all occupants, would be applied more equitably to all attachments.

C. Inflation.

PGE believes that an "inflation" rate adjustment factor is appropriate for use in determining the pole attachment rate because historical costs are used to calculate rental rates for future years. We disagree with OJUA that the "inflation" factor should apply only to the carrying charge and we disagree with the OPUC Staff's comments that there should be no adjustment for inflation in carrying charges or rates.

If pole costs and O&M costs are increasing, as they historically have been for PGE, then precluding an "inflation" factor would mean that PGE is lagging in the recovery of its current costs in the pole attachment rate. For example, pole attachment rates for 2007 cannot use 2007 costs because they are as yet unknown. Also, PGE cannot use 2006 costs for 2007 rates because the 2006 books will not be closed until sometime in the first quarter of 2007 (i.e., the 2006 Form 10-K will not be issued until March of 2007 and FERC Form 1 for 2006 will not be issued until April of 2007). Consequently, 2005 costs are the latest costs available with which to calculate 2007 rates. From 2005 through 2007, however, new poles will: 1) be added to the system for new service areas, and 2) replace old poles that are retired due to age or damage. In both cases, recent history supports the conclusion that the new poles will cost significantly more than either the depreciated net book value of average existing poles or the net book value of old poles to be retired. In addition, although some components of the carrying charge decline or remain flat from year to year, overall, PGE's carrying charge has been increasing over time.

ORS 757.282 defines the maximum "just and reasonable rate" as "not more than the

actual capital and operating expenses, including just compensation," of the pole owner. Staff has suggested that setting a rate based on estimated increases in costs or net plant would not comply with the statute. (2nd Round Comments of PUC Staff in AR 506, page 6 of 7). On the contrary, PGE's experience shows that if an "inflation" factor is not permitted by the rule, pole owners are likely to be precluded from collecting their "actual capital and operating expenses" for the year that the rental rates apply. This is true because there is a minimum of two years that transpire from the year actual cost information is available until such costs are recovered in rental rates, and costs typically increase over that time. If an "inflation" factor is authorized, moreover, it should apply to the entire pole attachment rental rate and not just the carrying charge, in order to capture all of the underlying costs that have increased historically over time. PGE has suggested language to be added to the definitions of "Pole Cost" and "Carrying Charge" to appropriately deal with this issue, below.

D. Conduit Rental Rate Component.

As PGE has submitted in comments in the past, and restates for the record in these Final Comments, there needs to be an expansion of what is a permissible basis for rental rate calculation in OAR 860-028-0310 if a pole owner does not keep data in the form of "total length of conduit in the system". (OAR-860-028-0020, definition of "Net linear cost of conduit.") While it may be reasonable to set out a methodology for establishing a just and reasonable rate for conduit attachments per the rule, there should be no inference that an owner that does not keep records that allow a calculation to made in that precise manner must invest in expense tracking systems or labor-intensive work to establish such records. It should be clear from the language in the rule that alternative methodologies may be used and that there is no presumption that such alternative methodologies would not lead to just and reasonable rates. PGE has

proposed such language in its comments, below.

PROPOSED LANGUAGE FOR DIVISION 28 RULES

Below is a compilation of PGE's comments to the proposed rules as modified and filed by the Oregon Joint Use Association ("OJUA") on November 17, 2006:

860-028-0020

PGE supports OJUA's version except for the following:

(3) "Carrying Charge" – Delete the words "adjusted for inflation" and add the following sentence at the end of the definition: "The Carrying Charge may be adjusted for inflation if historical costs over a year old are used to calculate future rates."

(7.1) "Day" – delete the word "a."

(19) "Permit" – delete the words "or invoice" and add at the end of the sentence "or, if an owner has already begun charging rent for the attachments prior to issuing such written or electronic record, the invoice for such rental charges."

(21) "Pole" – PGE supports Staff's addition of a definition for "Pole" and supports Staff's language for such definition. (using Staff's numbering)

(22) "Pole cost" – (using Staff's numbering) PGE supports Staff's language for this definition, with the following sentence added after the first sentence: "The Pole cost may be adjusted for inflation if historical costs over a year old are used to calculate future rates."

(27) "Support equipment" – the word "licensee" should be changed to "occupant."

(33) "Usable space" – PGE supports moving this definition to 860-028-0110, as Staff has proposed, and supports Staff's language as well.

860-028-0050

PGE supports OJUA's version except for the following:

(2) should be eliminated (see changes to 860-028-0120(4), (5) and (6), below, for treatment of these issues).

(3) should be moved to 860-028-0115(9).

860-028-0060

PGE does not support the addition of the words "or agreements" or "and agreements" to the

earlier proposed rule because they are redundant and unnecessary.

860-028-0070

PGE supports the OJUA version of the rule.

860-028-0080

PGE supports the OJUA version except that the following section should be added:

(5) This rule does not apply to owners or licensees to which ORS 756.310 applies.

860-028-0100

PGE supports OJUA's version of the rule except for the following:

(3)(d) The first sentence from Staff's version of (3)(d) should be added to the end of OJUA's version: "The owner may deny access for the following reasons: insufficient capacity, safety, reliability, and generally applicable engineering purposes."

(4) The third sentence should read: "Where this work requires more than 45 calendar days to complete, the parties must negotiate a mutually acceptable longer period to complete the make ready work."

(5) The first sentence should read: "If an owner cannot meet the time frames established by this rule, and the parties cannot agree on a longer period of time, application, preconstruction activity and make ready work may be performed by a mutually acceptable third party."

860-028-0110

PGE supports OJUA's version of the rule except for the following:

(4) The second sentence should read: "Costs associated with attachments to support equipment and permit applications, if not recovered in the annual rent, shall be recovered separately based on actual costs, including administrative costs."

860-028-0115

PGE supports OJUA's version of the rule except for the following:

(5) The second sentence should read: "This duty includes compliance with OAR 860-024-0012(1) and 0016."

(7) the word "ensure" should be changed to "verify."

(9) this section should be added – formerly section (3) in 860-028-0050.

860-028-0120

PGE supports OJUA's version of the rule, except for the following:

(4) The first sentence should read, in its entirety, as follows: "Pole occupants shall immediately correct violations that cause an imminent danger to life or property." The last two sentences in section (4) should have the following language added to the end of each: "and any fines, fees, damages or other costs the pole occupant's attachments cause the pole owner to incur."

(5) The first sentence should read as follows: Except where OAR 860-028-0120(4) or (6) applies, an occupant shall respond to a pole owner's notification of violation within 180 days." The second sentence should read as follows: "This duty includes, but is not limited to, response to a notification that contact between the occupant's facilities and vegetation poses a significant risk to the safety of workers or the public, or damage to property including the structures of the pole owner, where the occupant receiving the notice is an operator of communications facilities." The last two sentences in section (5) should have the following language added to the end of each: "and any fines, fees, damages or other costs the pole occupant's attachments cause the pole owner to incur."

(5)(a) After "60 days" insert the words "in compliance with OAR 860-028-0170."

(6)(a) The following words should be added after the word "section": "and any fines, fees, damages or other costs the pole occupant's attachments cause the pole owner to incur."

(7) This section should be added – formerly section (3) in 860-028-0050.

860-028-0130

PGE supports OJUA's version of the rule, except for the following:

(2)(b) – the word "to" should be inserted after the word "efforts."

860-028-0140

PGE supports OJUA's version of the rule, except for the following:

(1) This section should read: "A pole owner may impose a sanction on a pole occupant that is in violation of OAR 860-028-120(1)(b), except as provided in OAR 860-028-0120(3)."

860-028-0150

PGE supports OJUA's version of the rule, except for the following:

(2) The first sentence of this section should read: "If a pole occupant is in violation of OAR 860-028-0120(5) or (6), a pole owner may impose a charge on the pole occupant in

addition to any sanctions imposed under this rule and any costs recoverable under OAR 860-028-0120(5) and (6)."

860-028-0160, 860-028-0170, 860-028-0180, 860-028-0190, 860-028-0195, 860-028-0200

PGE supports OJUA's version of the rule.

860-028-0210

PGE suggests that the time frames for (a) and (b) be changed to 30 days. Otherwise, PGE support the rule as currently written.

860-028-0220, 860-028-0230

PGE supports the rule as currently written.

860-028-0240

PGE supports OJUA's version of the rule (date change).

860-028-0310

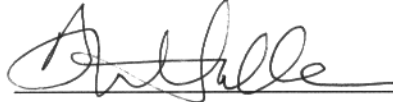
PGE supports OJUA's version of the rule, except for the following:

(2) should read as follows: "A conduit rental rate is computed by multiplying the percentage of conduit capacity occupied by the net linear cost of conduit and then multiplying that product by the carrying charge. In the event a utility does not have all the information necessary to calculate the conduit rental rate based on this formula, the utility may propose a substitute formula. A permissible substitute formula consists of multiplying the percentage of conduit capacity occupied times the marginal cost of installing conduit and associated vaults per linear foot (reduced by the net to gross ratio of conduit plant investment) and then multiplying that product by the carrying charge."

(5) should read as follows: "The conduit owner must give a licensee 12 months' notice of its need to occupy licensed conduit and the licensee must take one of the following four actions listed, subject to approval by the owner:" Subsections (a) through (d) to remain as already proposed.

DATED this 17th day of November 2006.

Respectfully Submitted,



Barbara W. Halle, OSB No. 88054
Assistant General Counsel
Portland General Electric Company
121 SW Salmon Street, 1WTC1301
Portland, Oregon 97204
(503) 464-8858 phone
(503) 464-2200 fax
barbara.halle@pgn.com

CERTIFICATE OF SERVICE

I certify that I have caused to be served the foregoing **FINAL COMMENTS OF PORTLAND GENERAL ELECTRIC COMPANY** in OPUC Docket No AR 506 and AR 510, by electronic mail, and for the parties who have not waived paper service, by First Class US Mail, postage prepaid and properly addressed, upon each party on the attached service list, pursuant to Oregon Administrative Rule 860-013-0070.

DATED this 17th day of November 2006.

Barbara W. Halle

MATT COONS
matt.coons@comspanusa.net

SUSAN K ACKERMAN
ATTORNEY AT LAW
PO BOX 10207
PORTLAND OR 97296-0207
susan.k.ackerman@comcast.net

JIM DEASON
ATTORNEY AT LAW
1 SW COLUMBIA ST. SUITE 1600
PORTLAND OR 97258-2014
jimdeason@comcast.net

SCOTT JOHNSON
CITY OF ASHLAND
90 NORTH MOUNTAIN AVE
ASHLAND OR 97520
johnsons@ashland.or.us

DENISE ESTEP
CENTRAL LINCOLN PUD
PO BOX 1126
NEWPORT OR 97365
destep@cencoast.com

MICHAEL L WILSON
INTERIM GENERAL MANAGER
CENTRAL LINCOLN PUD
2129 N COAST HWY
NEWPORT OR 97365-0090
mwilson@cencoast.com

DOUG COOLEY
CENTURYTEL OF OREGON INC
707 13TH ST STE 280
SALEM OR 97301
doug.cooley@centurytel.com

GARY LEE
CHARTER COMMUNICATIONS CORP
521 NE 136TH AV
VANCOUVER WA 98684
glee@chartercom.com

PHIL CHARLTON
ELECTRIC LIGHTWAVE
pcharlton@eli-consulting.com

BILL KIGGINS, OP. MANAGER
CLEAR CREEK MUTUAL TELEPHONE CO
18238 S FISCHERS MILL RD
OREGON CITY OR 97045-9696
bkiggins@clearcreek.coop

STEPHEN R CIESLEWICZ, PRESIDENT
CN UTILITY CONSULTING
PO BOX 746
NOVATO CA 94948-0746
steve@cnutility.com

SCOTT THOMPSON, ATTORNEY
COLE RAYWID & BRAVERMAN LLP
1919 PENNSYLVANIA AVE NW STE 200
WASHINGTON DC 20006
sthompson@crblaw.com

JILL VALENSTEIN
COLE, RAYWID, & BRAVERMAN, LLP
1919 PENNSYLVANIA AVE NW STE 200
WASHINGTON DC 20006
jvalenstein@crblaw.com

SEBASTIAN MC CROHAN
COMSPANUSA
sebastian.mccrohan@comspanusa.net

STUART SLOAN
CONSUMER POWER INC
PO BOX 1180
PHILOMATH OR 97370
stuarts@cpi.coop

SARAH K WALLACE
ATTORNEY AT LAW
DAVIS WRIGHT TREMAINE
1300 SW FIFTH AVENUE
SUITE 2300
PORTLAND OR 97201
sarahwallace@dwt.com

MICHAEL T WEIRICH
ASSISTANT ATTORNEY GENERAL
DEPARTMENT OF JUSTICE
REGULATED UTILITY & BUSINESS
SECTION
1162 COURT ST NE
SALEM OR 97301-4096
michael.weirich@state.or.us

CRAIG ANDRUS
CUSTOMER ENGINEERING
SUPERVISOR
EMERALD PUD
33733 SEAVEY LOOP RD
EUGENE OR 97405-9614
craig.andrus@epud.org

CATHERINE A MURRAY, MGR -
REGULATORY AFFAIRS
ESCHELON TELECOM OF OREGON
INC
730 SECOND AVE S STE 900
MINNEAPOLIS MN 55402-2489
camurray@eschelon.com

CHRISTY MONSON
SPEER, HOYT, JONES, FEINMAN
975 OAK STREET, SUITE 700
EUGENE OR 97401
Christy@speerhoyt.com

JEANNETTE C BOWMAN
IDAHO POWER COMPANY
PO BOX 70
BOISE ID 83707
jbowman@idahopower.co

BRENT VAN PATTEN
IDAHO POWER COMPANY
PO BOX 70
BOISE ID 83707-0070
bvanpatten@idahopower.com

ANDREA FOGUE
SENIOR STAFF ASSOCIATE
LEAGUE OF OREGON CITIES
PO BOX 928
1201 COURT ST NE STE 200
SALEM OR 97308
afogue@orcities.org

SCOTT ROSENBALM
CITY OF MCMINNVILLE WATER &
LIGHT
PO BOX 638
MCMINNVILLE OR 97128-0638
sgr@mc-power.com

EUGENE A FRY
MILLENNIUM DIGITAL MEDIA
3633 136TH PL SE #107
BELLEVUE WA 98006
gfry@mdm.net

BROOKS HARLOW
ATTORNEY
MILLER NASH LLP
601 UNION ST STE 4400
SEATTLE WA 98101-2352
brooks.harlow@millernash.com

J. WHITE
CITY OF MONMOUTH
151 W MAIN ST
MONMOUTH OR 97361
jwhite@ci.monmouth.or.us

DAVE WILDMAN
CITY OF MONMOUTH
401 N HOGAN RD
MONMOUTH OR 97361
dwildman@ci.monmouth.or.us

MICHAEL DEWEY
EXECUTIVE DIRECTOR
OREGON CABLE AND
TELECOMMUNICATIONS
ASSOCIATION
1249 COMMERCIAL ST SE
SALEM OR 97302
mdewey@oregoncable.com

GENOA INGRAM
OREGON JOINT USE ASSOCIATION
1286 COURT ST NE
SALEM OR 97301
genoa@westernadvocates.com

JOHN SULLIVAN
OREGON JOINT USE ASSOCIATION
2213 SW 153RD DR
BEAVERTON OR 97006
john.sullivan@pgn.com

WILLIAM C WOODS
OREGON JOINT USE ASSOCIATION
9605 SW NIMBUS AVE
BEAVERTON OR 97008
william_woods@cable.comcast.com

TOM O'CONNOR
EXECUTIVE DIRECTOR
OREGON MUNICIPAL ELECTRIC
UTILITIES ASSOC
PO BOX 928
SALEM OR 97308-0928
toconnor@teleport.com

DON GODARD
OREGON PUD ASSOCIATION
727 CENTER ST NE, STE 305
SALEM OR 97301
dgodard@opuda.org

HEIDI CASWELL
PACIFICORP
825 NE MULTNOMAH STE 1500
PORTLAND OR 97232
heide.caswell@pacificorp.com

SANDRA FLICKER
OREGON RURAL ELECTRIC
COOPERATIVE ASSN
707 13TH ST. SE STE 200
SALEM OR 97301-4005
sflicker@oreca.org

BRANT WOLF
EXECUTIVE VICE PRESIDENT
OREGON TELECOMMUNICATIONS
ASSN
707 13TH ST SE STE 280
SALEM OR 97301-4036
bwolf@ota-telecom.org

CECE L COLEMAN
PACIFIC POWER & LIGHT
825 NE MULTNOMAH STE 800
PORTLAND OR 97232
cece.coleman@pacificorp.com

WILLIAM EAQUINTO
VICE PRESIDENT OF OPERATIONS
PACIFIC POWER & LIGHT
825 NE MULTNOMAH STE 1700
PORTLAND OR 97232
bill.eaquinto@pacificorp.com

RANDY MILLER
PACIFIC POWER & LIGHT
1407 W N TEMPLE, STE 220
SALT LAKE CITY UT 84116
randy.miller@pacficorp.com

COREY FITZGERALD
PACIFIC POWER & LIGHT
825 NE MULTNOMAH STE 800
PORTLAND OR 97232
corey.fitz-gerald@pacificorp.com

BILL CUNNINGHAM
PACIFICORP
825 NE MULTNOMAH STE 1500
PORTLAND OR 97232
bill.cunningham@pacificorp.com

PETE CRAVEN
PACIFICORP
825 NE MULTNOMAH STE 300
PORTLAND OR 97232
pete.craven@pacificorp.com

JIM MARQUIS
PACIFICORP
830 OLD SALEM ROAD
ALBANY, OR 97321
james_I.marquis@pacificorp.com

GENERAL MANAGER
PIONEER TELEPHONE COOPERATIVE
1304 MAIN ST PO BOX 631
PHILOMATH OR 97370

RICHARD GRAY
PORTLAND CITY OF - OFFICE OF TRANSPORTATION
1120 SW 5TH AVE RM 800
PORTLAND OR 97204
richard.gray@pdxtrans.org

PRIORITYONE TELECOMMUNICATIONS INC
PO BOX 758
LA GRANDE OR 97850-6462
kmutch@p1tel.com

LINDA L SPURGEON
COOS CURRY ELECTRIC COOPERATIVE
PO BOX 1268
PORT ORFORD OR 97465
spurgeon@cooscurryelectric.com

KRISTIN L.JACOBSON
SPRINT NEXTEL
201 MISSION ST. STE 1400
SAN FRANCISCO CA 94105
kristijn.l.jacobson@sprint.com

JERRY MURRAY
PUBLIC UTILITY COMMISSION
PO BOX 2148
SALEM OR 97308-2148
jerry.murray@state.or.us

JOHN WALLACE
PUBLIC UTILITY COMMISSION
PO BOX 2148
SALEM OR 97308-2148
john.wallace@state.or.us

JEFF KENT
QWEST
8021 SW CAPITOL HILL RD
ROOM 180
PORTLAND OR 97219
jeffrey.kent@qwest.com

ALEX M DUARTE
QWEST CORPORATION
421 SW OAK ST STE 810
PORTLAND OR 97204
alex.duarte@qwest.com

ROGER KUHLMAN
SALEM ELECTRIC
633 7TH ST. NW
SALEM OR 97304-0055
kuhlman@salemelectric.com

BARBARA YOUNG
UNITED TELEPHONE CO. OF THE NW/EMBARQ
902 WASCO ST - ORHDRA0412
HOOD RIVER OR 97031-3105
barbara.c.young@embarq.com

MARK OBERLE
PROPERTY MANAGER
EWEB
PO BOX 10148
EUGENE OR 97440
Mark.oberle@eweb.eugene.or.us

BRIAN THOMAS
TIME WARNER TELECOM OF OREGON LLC
223 TAYLOR AVE N
SEATTLE WA 98109-5017
brian.thomas@twtelecom.com

LISA F. RACKNER
ATER WYNNE LLP
222 SW COLUMBIA ST. STE 1800
PORTLAND OR 97201
lfr@aterwynne.com

RICHARD STEWART
VERIZON NORTHWEST INC
600 HIDDEN RIDGE
HQEO3J28
IRVING TX 75038
richard.stewart@verizon.com

RENEE WILLER
VERIZON NORTHWEST INC
20575 NW VON NEUMANN DR, STE 150 MC
HILLSBORO OR 97006
renee.willer@verizon.com

MARTY PATROVSKY
WANTEL INC
1016 SE OAK AVE
ROSEBURG OR 97470
marty.patrovsky@comspanusa.net

WENDY L. MARTIN
ATER WYNNE LLP
222 SW COLUMBIA ST STE 1800
PORTLAND OR 97201
wim@aterwynne.com

CINDY MANHEIM
CINGULAR WIRELESS
PO BOX 97061
REDMOND, WA 98073
cindy.manheim@cingular.com

RICHARD W. RYAN, PRESIDENT
HUNTER COMMUNICATIONS, INC.
801 ENTERPRISE DR. STE 101
CENTRAL POINT OR 97502
rryan@coreds.net

ANDREA L. KELLY, VICE PRESIDENT
REGULATION DEPARTMENT
PACIFICORP DBA PACIFIC POWER & LIGHT
825 NE MULTNOMAH ST STE 2000
PORTLAND OR 97232
andrea.kelly@pacificorp.com

KEVIN O'CONNOR
TIME WARNER TELECOM
520 SW 6TH AVE
PORTLAND OR 97204
kevin.oconnor@twtelecom.com

FRANK MCGOVERN
QUALITY TELEPHONE INC
PO BOX 7310
DALLAS TX 75209-0310
fmcgovern@qtelephone.com

NANCY JUDY
EMBARQ COMMUNICATIONS
902 WASCO ST. A0412
HOOD RIVER OR 97031
nancy.judy@embark.com

TOM MCGOWAN
UNITED TELEPHONE CO OF THE NORTHWEST
902 WASCO ST
HOOD RIVER OR 97031
tom.a.mcgowan@sprint.com

KEENE C. BASSO
LINE SUPERINTENDENT
CLATSKANIE PUD
PO BOX 216
CLATSKANIE, OR 97016
kbasso@clatskaniepud.com

SCOTT WHEELER
COMCAST PHONE OF OREGON LLC
9605 SW NIMBUS AVE
BEAVERTON OR 97008
scott_wheeler2@cable.comcast.com

MARK P. TRINCHERO
DAVIS WRIGHT TERMAINE LLP
1300 SW 5TH AVENUE, SUITE 2300
PORTLAND OR 97201
marktrinchero@dwt.com

RICHARD J. BUSCH
GRAHAM & DUNN PC
PIER 70
2801 ALASKAN WAY STE 300
SEATTLE WA 98121-1128
rbusch@grahamdunn.com

THOMAS DIXON
VERIZON CORPORATE SERVICES
707 17TH STREET
DENVER CO 80202
thomas.f.fdixon@verizon.com

LAURA RAYPUSH
PACIFICORP
825 NE MULTNOMAH, STE 1700
PORTLAND OR 97232
Laura.raypush@pacificorp.com

THE HONORABLE ROBERT
ACKERMAN
OREGON HOUSE OF
REPRESENTATIVES
900 COURT ST NE RM H-389
SALEM OR 97310

GARY PUTNAM
PUBLIC UTILITY COMMISSION
PO BOX 2148
SALEM OR 97308-2148
gary.putnam@state.or.us

SCOTT ADAMS
COOS-CURRY ELECTRIC
COOPERATIVE, INC.
PO BOX 1268
PORT ORFORD OR 97465
scotta@cooscurryelectric.com

KEVIN L. SAVILLE, ATTORNEY
FRONTIER COMMUNICATIONS OF
AMERICA, INC.
2378 WILSHIRE BLVD
MOUND, MN 55364
ksaville@czn.com

SUSAN BURKE
VERIZON
Susan.burke@verizon.com

RONALD W JONES
IBEW LOCAL 659
4480 ROGUE VALLEY HWY #3
CENTRAL POINT OR 97502
ronjones@ibew659.org

SPRINGFIELD UTILITY BOARD
TAMARA JOHNSON
PO BOX 300
SPRINGFIELD OR 97477
tamaraj@subutil.com

BEND BROADBAND
JEFF LIBERTY
jliberty@bendbroadband.net

CHARTER COMMUNICATIONS
SUZANNE CURTIS
VP & GENERAL COUNSEL
4031 VIA ORO AVE
LONG BEACH, CA 90810
Suzanne.curtis@chartercom.com

CITY OF PORTLAND
RICHARD JOHNSON
1120 SW 5TH AVE RM 800
PORTLAND OR 97204
richard.johnson@pdxtrans.org

COMCAST
DAWNA FARRELL
Dawna_farrell@cable.comcast.com

COMCAST
NANCY MARSTON
nancy_marston@cable.comcast.com

EMBARQ COMMUNICATIONS INC
WILLIAM E. HENDRICKS, ATTORNEY
902 WASCO ST. A0412
HOOD RIVER, OR 97031
tre.hendricks@embarq.com

IDAHO POWER COMPANY
SANDRA HOLMS
PO BOX 70
BOISE ID 83707
jbutler@idahopower.com

IDAHO POWER COMPANY
BARTON L. KLINE, ATTORNEY
PO BOX 70
BOISE ID 83707
bkline@idahopower.com

IDAHO POWER COMPANY
LISA NORDSTROM, ATTORNEY
PO BOX 70
BOISE ID 83707
lnordstrom@idahopower.com

INTEGRA TELECOM OF OREGON INC
ROBERT DAVISON
1200 MINESOTA CTR
7760 FRANCE AVE
BLOOMINGTON MN 55435
Robert.davidson@integratelecom.com

INTEGRA TELECOM OF OREGON INC
LEE GUSTAVSON, MANAGER
lee.gustavson@integratelecom.com

INTEGRA TELECOM OF OREGON INC
SHELA HARRIS, MANGER
1201 NE LLOYD BLVD, STE 500
PORTLAND OR 97232

INTEGRA TELECOM OF OREGON INC
JAY NUSBAUM, ATTORNEY
1201 NE LLOYD BLVD STE 500
PORTLAND, OR 97232
Jay.nusbaum@integratelecom.com

NATIONAL RURAL UTILITIES
COOPERATIVE
WILLIAM K. EDWARDS
2001 COOPERATIVE WAY
HERNDON VA 20171
bill.edwards@nrucfc.coop

T-MOBILE
ANDREW NENNINGER
andrew.nenninger@t-mobile.com

T-MOBILE USA INC
TERI OHTA
teri.ohta@t-mobile.com