

ITEM NO. CA4

PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: May 16, 2017

REGULAR _____ CONSENT X EFFECTIVE DATE May 22, 2017

DATE: April 26, 2017

TO: Public Utility Commission

FROM: Stephen Hayes *[Signature]*

THROUGH: Jason Eisdorfer, Bryan Conway, and Bruce Hellebuyck *[Signature]*

SUBJECT: QWEST CORPORATION: (Docket No. ADV 550/Advice No. 2137) Tariff Term and Condition Change Regarding Postponement and Acceptance of Specified Services

STAFF RECOMMENDATION:

Staff recommends that the filed tariff be allowed to go into effect.

DISCUSSION:

Issue

Whether to allow Qwest Corporation (Qwest or Company) to change terms and conditions relative to customers cancelling an ordered service.

Applicable Rule or Law

Pursuant to Qwest's Price Plan, established by Commission Order No. 14-346 dated October 3, 2014, Qwest proposes to revise terms and conditions in its PUC Oregon No. 33, Exchange and Network Services Tariff, Section 2, General Regulations - Conditions Of Offering. This filing is timely pursuant to Section P of the Qwest Price Plan, which, in pertinent part, says that the company: "...will provide the Commission, notice of ...changes to terms and conditions for service under price cap by making tariff filings at least 30 days prior to the effective date."

Analysis

Qwest proposes tariff changes in part to establish standardized service application of cancellation processes in all Oregon CenturyLink affiliates. The filing is not rate affecting, but may have billing implications to a customer not accepting certain services when made available on the due date. The new terms and conditions provide for customer flexibility while establishing reasonable limits on extending the delivery of an ordered service and provides for recovering the costs of preparing to deliver a service that is ultimately not accepted by the customer. ORS 759.255(1) prohibits consideration of return on investment when considering pricing under a price plan. Since this filing does not consider prices for services a consideration of return on investment did not enter into Staff's analysis.

Description of Changes to Terms and Conditions

Non-recurring charges that would have applied had the service been installed may be billed if the customer does not accept an ordered service. Other charges may also be billed to cover Company costs incurred to fulfill a service order. This filing does not establish any new charges or change any existing charges. Charges described in the new terms and conditions are current tariff charges. The tariff filing serves to make the potential for charges clear to the customer.

The customer may cancel a service any time without consequence prior to the Company's notification that the service is available for the customer's use. The customer may also change the original due date, but not more than 60 days past the original due date. The Company proposes that should the customer not be ready or able to accept the services on the due date the facilities will be held available for a 30-calendar-day grace period. At the end of the 30-day period if the customer has not accepted service, at the customer's request regular monthly billing may begin or the facilities will be released to fulfill other service order activity.

The terms and conditions described above are applicable to five or more analog or digital exchange access lines, or one or more DS1 facilities and common equipment, Private Line, Design Services such as Digital Switched Service, ISDN Primary Rate Service, Integrated T-1 Service or Uniform Access Solution Service (UAS). UAS is a digital service similar to direct inward dialing (DID) but requires no DID trunk termination.

This filing is a counterpart to other recent filings clearly indicating the purpose is in part to facilitate aligning processes within the CenturyLink affiliated companies. Docket No. PL 57 aligns Qwest's Price List; Docket Nos. ADV 542, 543, and 544 align the Access Tariffs of Qwest, CenturyTel and United, respectively.

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Conclusion

Staff finds that the filing complies with the requirements of the Qwest Price Plan and the related Oregon statutes, and therefore, should be allowed to go into effect.

PROPOSED COMMISSION MOTION:

Allow Qwest Advice No. 2137 to go into effect for service ordered on or after May 22, 2017.

Qwest.AL2137.ADV550