



# Oregon

Kate Brown, Governor

## Public Utility Commission

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November 21, 2019



BY EMAIL

Qwest Corporation, dba CenturyLink QC

Robyn Crichton

Robyn.m.crichton@centurylink.com

RE: Advice No. 2151

At the public meeting on November 21, 2019, the Commission adopted Staff's recommendation in this matter docketed as ADV 1025. The Staff Report, the signed LSN, and a receipted copy of the sheets in your advice filing are attached.

Nolan Moser

Chief Administrative Law Judge

Public Utility Commission of Oregon

(503) 378-3098

PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: November 21, 2019

REGULAR \_\_\_\_\_ CONSENT X EFFECTIVE DATE December 1, 2019

DATE: November 7, 2019

TO: Public Utility Commission

FROM: Malia Brock

THROUGH: Michael Dougherty, Bryan Conway, and Bruce Hellebuyck **SIGNED**

SUBJECT: QWEST CORPORATION:  
(Docket No. ADV 1025/Advice No. 2151)  
Federal Lifeline and Oregon Telephone Assistance Program Revisions.

**STAFF RECOMMENDATION:**

Staff recommends that the filed tariff be allowed to go into effect on Less than Statutory Notice (LSN) with service on and after December 1, 2019.

**DISCUSSION:**

Issue

Whether to allow the revised tariff filed by Qwest Corporation dba CenturyLink QC (Qwest) to go into effect with service on and after December 1, 2019 on LSN.

Applicable Law

Telecommunications utilities are required under ORS 759.175 to submit tariff filings to the Commission whenever they intend to change their rates, terms, or conditions of service. On September 28, 2018, with Order No. 18-359, the Commission approved a Price Plan applicable to Qwest and its affiliates, as allowed by ORS 759.255.

All CenturyLink affiliates, United Telecommunications of the Northwest, and the two CenturyTel entities, also utilize the Qwest Price Plan as well as its tariff and price lists. Therefore, Qwest terms apply to all affiliates as the rates, terms, and conditions are identical; affiliates operate under the same Price Plan.

Section M of the Price Plan allows Qwest to petition the Commission for adjustments to the Price Plan to reflect material changes outside Qwest's control that would have an overall material effect on Qwest, such as a decrease in FCC support. Per ORS 759.190, 30 days'

notice to the Commission is required before a schedule change may take effect. Section (8)(a)(i) of Qwest's Price Plan requires tariff changes to be filed at least thirty days prior to their effective dates. Furthermore, telecommunications utilities are required under ORS 759.175 to submit filings to the Commission whenever they intend to change their rates, terms, or conditions of service.

Utilities must file an application for less than statutory notice per OAR 860-022-0020 when a schedule change will take effect less than 30 days from the date of filing. ORS 759.190 provides that the Commission may find good cause exists to allow changes to take effect on LSN.

### Analysis

Qwest originally filed on October 18, 2019, and a supplemental filing on October 31, 2019, to propose revisions to Section 5, Sheets 52, 53, 54, 55 and 58.1 of its Exchange and Network Services Tariff, P.U.C. OR. No. 33, to conform to FCC regulations in which the federal Lifeline support amount for voice telephone service will decline to \$7.25 per month effective December 1, 2019, and to \$5.25 per month effective December 1, 2020.<sup>1</sup> Using an annual phase down schedule, the FCC's objective is to modernize the Lifeline program by transitioning the support to broadband internet access service before eliminating it for voice telephone service.<sup>2</sup>

Qwest's last supplemental amendment was received on November 4, 2019, to incorporate a revision to Section 5, Sheet 57 of its Exchange and Network Services Tariff, P.U.C. OR. No. 33. This filing amends the Oregon Telephone Assistance Program (OTAP) amount of \$3.50 to be available for qualified voice or broadband internet access service, effective January 1, 2020. Prior to the enactment of Senate Bill 69 in 2019, the OTAP subsidy was limited to voice telephone service.

As Qwest's second amendment filing was filed on November 4, 2019 and advice is effective on December 1, 2019, Qwest also filed an application for less than statutory notice. Given the need to address federal requirements and the benefit to consumers presented by these changes, Staff finds good cause for the LSN.

### Conclusion

Staff finds that the filing, with approval of the LSN, complies with applicable FCC regulations, the requirements of the Qwest Price Plan and Oregon statutes.

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<sup>1</sup> 47 C.F.R. Section 54.403(a)(2)(ii).

<sup>2</sup> FCC Lifeline Modernization Order, WC Docket No.11-42, issued April 27, 2016.

Qwest Docket No. ADV 1025/Advice No. 2151  
October 31, 2019  
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**PROPOSED COMMISSION MOTION:**

Allow Qwest Advice No. 2151 to go into effect for service rendered on and after December 1, 2019 on less than statutory notice.

Qwest.2151.Lifeline

## LESS THAN STATUTORY NOTICE APPLICATION

This document may be electronically filed by sending it as an attachment to an electronic mail message addressed to the Commission's Filing Center at [puc.filingcenter@state.or.us](mailto:puc.filingcenter@state.or.us).

### BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

IN THE MATTER OF THE APPLICATION OF  Qwest Corporation ADV 1025/Advice No. 2151 (UTILITY COMPANY)	) ) ) ) )	UTILITY L.S.N. APPLICATION  NO. <u>2247</u> (LEAVE BLANK)
TO WAIVE STATUTORY NOTICE.		

**NOTE: ATTACH EXHIBIT IF SPACE IS INSUFFICIENT.**

1. GENERAL DESCRIPTION OF THE PROPOSED SCHEDULE(S) ADDITION, DELETION, OR CHANGE. (SCHEDULE INCLUDES ALL RATES, TOLLS AND CHARGES FOR SERVICE AND ALL RULES AND REGULATIONS AFFECTING THE SAME) Federal Lifeline Reductions and changes to OTAP.

2. APPLICANT DESIRES TO CHANGE THE SCHEDULE(S) NOW ON FILE KNOWN AND DESIGNATED AS: (INSERT SCHEDULE REFERENCE BY NUMBER, PAGE, AND ITEM)  
 Section 5, Sheets 52, 53, 54, 55, 57 and 58.1 of its Exchange and Network Services Tariff, P.U.C. OR. No. 33

3. THE PROPOSED SCHEDULE(S) SHALL BE AS FOLLOWS: (INSERT SCHEDULE REFERENCE BY NUMBER, PAGE AND ITEM)  
 n/a

4. REASONS FOR REQUESTING A WAIVER OF STATUTORY NOTICE:

These are federal and Oregon Lifeline support filing to reflect reductions in federal support and changes in state support. Original and sendary filing were within statutory deadline, as rates effective on December 1, 2019. Third revised filing affected Oregon Telephone Assistance Support effective January 1, 2020.

5. REQUESTED EFFECTIVE DATE OF THE NEW SCHEDULE(S) OR CHANGE(S): December 1, 2019 and January 1, 2020

AUTHORIZED SIGNATURE 	TITLE Government Operations Manager	DATE 11/6/2019
PUC USE ONLY		
<input checked="" type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	EFFECTIVE DATE OF APPROVED SCHEDULE(S) OR CHANGE 12-1-19	
AUTHORIZED SIGNATURE 	DATE 11-21-19	

**Qwest Corporation d/b/a CenturyLink QC**

**P.U.C. OREGON NO. 33  
EXCHANGE AND  
NETWORK SERVICES**

**SECTION 5  
2nd Revised Sheet 52  
Cancels 1st Revised Sheet 52**

**5. EXCHANGE SERVICES**

**5.2 LOCAL EXCHANGE SERVICE (Cont'd)**

**5.2.6 LIFELINE ASSISTANCE PROGRAMS**

Pursuant to FCC order 15-71, adopted June 18, 2015, the Company no longer provides Lifeline discounted service to resellers as of August 15, 2016.

(D)  
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(D)

**A. Federal Lifeline Program**

1. Description

The Federal Lifeline Program assists qualified low-income applicants with reductions in their monthly local exchange service rate. The assistance applies to a single telephone line or broadband service, **or a bundle of broadband and single telephone line service** at the applicant's principal place of residence.

(T)  
(T)

2. Eligibility Requirements

To receive assistance an applicant must demonstrate an annual household income at or below 135 percent of the federal poverty guidelines, or must demonstrate participation by the applicant, applicant's dependent(s) or a member of applicant's household<sup>[1]</sup> in one of the following programs:

- Federal Public Housing Assistance (FPHA) or Section 8
- Medicaid
- Supplemental Nutrition Assistance Program (SNAP)
- Supplemental Security Income (SSI)
- Veterans Pension Benefit and Survivors Pension

**Lifeline customers may be required to recertify their eligibility annually.**

(N)

<sup>[1]</sup> A household is defined, for purposes of administering this program, as any individual or group of individuals who live together at the same address and share income and expenses.

(D)  
(D)

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**5. EXCHANGE SERVICES**

**5.2 LOCAL EXCHANGE SERVICE**

**5.2.6 LIFELINE ASSISTANCE PROGRAMS (Cont'd)**

A. Federal Lifeline Program

3. Terms and Conditions

- a. An applicant may request Lifeline assistance through completion and submission of a form provided by the Company or by an agent of the state or Federal Communications Commission.
- b. The Federal Lifeline Program credit may be applied to any qualifying residential Local Exchange Service provided by the Company (including Packaged Services).
- c. Customers are limited to one credit per household, which may be applied towards a qualifying wireline service, a **qualifying** broadband service or a **qualifying** bundled voice and **broadband** service package. Customers are not eligible to receive a credit from the Company if they receive a Federal Lifeline Program credit for a service provided by another Eligible Telecommunications Carrier or Lifeline Broadband Provider. (T)  
(T)
- d. The Federal Lifeline Program credit will be pro-rated on the basis of a 30-day month from the effective date of the customer's application.
- e. Applicants must provide proof of eligibility and be deemed eligible for participation before monthly credits begin. Credits will only be issued on a go-forward basis.
- f. Nonrecurring charges will not apply when establishing this program on existing service.

(D)  
(D)

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**5. EXCHANGE SERVICES**

**5.2 LOCAL EXCHANGE SERVICE**

**5.2.6 LIFELINE ASSISTANCE PROGRAMS**

A. Federal Lifeline Program

3. Terms and Conditions (Cont'd)

g. Partial payments made by Lifeline customers will be applied first towards local service charges.

**h. The discount shall be applied first to the subscriber line charge, and then to the monthly service rate for Lifeline eligible services.**

(N)

**i. At no time shall the total Lifeline discount exceed the sum of the subscriber line charge and the monthly service rate, excluding applicable taxes, fees, and other surcharges.**

(N)

j. Toll Restriction is available to Lifeline customers upon request at no charge. No service deposit will be required for applicants who voluntarily elect toll restriction with the initiation of Lifeline service.

(T)

Any Lifeline customer who has a past due balance in toll message charges will be automatically restricted from access to toll services until the outstanding balance is paid. The customer will not be charged for the toll restriction placed on the account. The Restoration Charge applies to Lifeline customers whose message toll service has been restricted for nonpayment.

If a Lifeline customer is toll restricted for a second occurrence, the Company may, at its discretion, place the Lifeline customer on a permanent toll restriction. A Lifeline subscriber's request for reconnection or re-establishment of local service will not be denied if the service was previously suspended or disconnected for non-payment of toll charges.

**k. Customers residing on federally recognized Tribal Lands who receive the Federal Lifeline Program credit also qualify for an additional monthly credit. See Tribal Lands Lifeline Program in Section 5.2.6.C. following.**

(T)

\*\* Original Sheet 54 was cancelled with the issuance of 2<sup>nd</sup> Revised Sheet 51, effective December 7, 2009.

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**5. EXCHANGE SERVICES**

**5.2 LOCAL EXCHANGE SERVICE**

**5.2.6 LIFELINE ASSISTANCE PROGRAMS**

A. Federal Lifeline Program (Cont'd)

4. Monthly Credit

	<b>CREDIT USOC</b>	<b>CREDIT AMOUNT</b>	
Federal Lifeline Program Credit	[1]		(M)
• <b>Qualifying voice-only service</b>			(N)
- <b>Prior to December 1, 2019</b>		\$9.25	(T) (M)
- <b>Effective December 1, 2019</b>		7.25	(N)
- <b>Effective December 1, 2020</b>		5.25	(N)
• <b>Qualifying Broadband or bundled service</b>		9.25	(N)

[1] Credit is applied as follows: **ASGFX\* + ASGF2\*\*** (T)

\* **USOC ASGFX applies an amount equal to the Subscriber Line Charge found in Section 4.7.1 of the CenturyLink Operating Companies Tariff F.C.C. No. 11.** (N)

\*\* **USOC ASGF2 applies the remaining amount required to equal the federal credit.** (N)

When a Tribal Lifeline Credit also applies, the Federal Lifeline Program Credit USOCs are ASGFR + ASGF2.

(D)  
(D)

(M) Material moved within this page.

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**5. EXCHANGE SERVICES**

**5.2 LOCAL EXCHANGE SERVICE**

**5.2.6 LIFELINE ASSISTANCE PROGRAMS**

B. Oregon Telephone Assistance Program (OTAP)

3. Terms and Conditions

- a. To qualify for the OTAP discount, a subscriber must demonstrate eligibility for OTAP by making application to the Oregon Public Utility Commission (OPUC) on an OPUC-approved form.
- b. The Company provides an OTAP-eligible subscriber the OTAP discount in the form of a monthly credit on the subscriber's bill effective with the date specified for the subscriber by the OPUC. The OTAP credit will be prorated on the basis of a 30-day month from the effective date of the subscriber's eligibility.

4. Monthly Credit

	Credit USOC	Credit Amount	
State Credit for the exchange access line <b>and broadband internet access service</b> for OTAP participants	ASGSX	\$3.50 <sup>[1]</sup>	(N) (C)

C. Tribal Lands Lifeline Program

1. Description

The Tribal Lands Lifeline Program provides a monthly credit in addition to the Federal Lifeline Program credit for qualifying low-income individuals who reside on Tribal Lands defined in paragraph (e) of Title 47 Code of Federal Regulations, Section 54.400.

2. Eligibility Requirements

- a. To receive Tribal Lands Lifeline credit, applicants must meet the eligibility criteria specified in 5.2.6.A.2 preceding or must demonstrate participation by the applicant, applicant's dependent(s) or a member of applicant's household in one of the following qualifying programs:
  - Bureau of Indian Affairs (BIA) general assistance program
  - Tribally administered Temporary Assistance for Needy Families (TANF)
  - Head Start programs (under income qualifying eligibility provision only)
  - Food Distribution Program on Indian Reservations

<sup>[1]</sup> **Effective January 1, 2020, this credit also applies to broadband internet access service.** (N)  
(N)

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**Qwest Corporation d/b/a CenturyLink QC**

**P.U.C. OREGON No. 33  
EXCHANGE AND  
NETWORK SERVICES**

**SECTION 5  
3rd Revised Sheet 58.1  
Cancels 2nd Revised Sheet 58.1**

**5. EXCHANGE SERVICES**

**5.2 LOCAL EXCHANGE SERVICE**

**5.2.6 LIFELINE ASSISTANCE PROGRAMS**

C. Tribal Lands Lifeline Program (Cont'd)

4. Monthly Credit

	<b>CREDIT USOC</b>	<b>CREDIT AMOUNT</b>	
• Flat individual line (1FR)	ASGFT <sup>[1]</sup>	Up to \$25.00 <sup>[2]</sup>	(T)

<sup>[1]</sup> **USOC applies when credit is applied towards single telephone line service.** (N)

<sup>[2]</sup> The Tribal Lifeline Credit is up to \$25.00, but will not result in a rate of less than zero for the service against which the credit is applied. The credit amount is calculated by adding the applicable rates for a flat individual line (1FR), including Extended Area Service and other non-discretionary charges for basic residential service and the interstate subscriber line charge. The Federal Lifeline credit specified in 5.2.6.A.4. is subtracted from the total and the remaining difference is the applicable credit amount. **Refer to Qwest Corporation d/b/a CenturyLink QC Exchange and Network Services Catalog No. 3 for specific USOC credit amounts.** (T)  
(T)

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