



# Oregon

Kate Brown, Governor

## Public Utility Commission

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December 17, 2019



BY EMAIL

CenturyTel of Oregon, Inc. d/b/a CenturyLink and CenturyTel of Eastern Oregon, Inc. d/b/a CenturyLink

[robyn.m.crichton@centurylink.com](mailto:robyn.m.crichton@centurylink.com)

RE: Advice No. 366

At the public meeting on December 17, 2019, the Commission adopted Staff's recommendation in this matter docketed as ADV 1053. The Staff Report 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: December 17, 2019**

**REGULAR**  **CONSENT**  **EFFECTIVE DATE** December 20, 2019

**DATE:** November 18, 2019

**TO:** Public Utility Commission

**FROM:** Scott Shearer

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

**SUBJECT:** CENTURYTEL OF OREGON, INC. AND UNITED TELEPHONE COMPANY OF THE NORTHWEST:  
(Docket Nos. ADV 1053/Advice No. 366 and ADV 1054/Advice No. 19-05)  
Revises tariffs to delete certain references to Wide Area Telecommunications Services.

**STAFF RECOMMENDATION:**

Staff recommends that the Commission acknowledge CenturyTel of Oregon, Inc. (CenturyTel) and United Telephone Company of the Northwest's (United) (collectively, CenturyLink) Advice Nos. 366 and 19-05 tariff filings to become effective with service rendered on and after December 20, 2019.

**DISCUSSION:**

Issue

Whether the Commission should acknowledge CenturyLink's requests to delete references to Wide Area Telecommunications Services (WATS) specific to Automatic Dialing and Announcement Devices (ADAD).

Applicable Rule or Law

ORS 759.175 requires each public utility to file with the Commission schedules showing all rates, tolls, charges, rules, and regulations that pertain to service performed by the public utility. Tariff revisions or corrections may be made by filing revised sheets with the information required under the Commission's administrative rules, including

OAR 860-022-0010 and OAR 860-022-0015. Filings that make any change in rates, tolls, charges, rules, or regulations must be filed with the Commission at least 30 days prior to the effective date of changes; however, the Commission has the discretion to approve tariff filings on less than statutory notice.

### Analysis

These filings reference the same language for the same services in both CenturyTel and United's individual tariffs. Specifically, the tariff filings delete references to WATS in the ADAD service listing.

WATS Access Line Service is a type of Special Access Service that is provided only for use with certain Switched Access Services, such as ADAD. ADAD is a Special Access Service or Device that can be programmed to dial telephone numbers, randomly or in a predetermined sequence, and play a recorded message when a call is answered.

In this case, CenturyLink is requesting to remove WATS service from the conditions of ADAD. Specifically, "The ADAD may not be used to call unlisted, unpublished, emergency, **or inWATS (800) numbers** or to call more than one number held by a called party" (**emphasis added** to the proposed deleted text) and the associated definitions pages. WATS service is generally considered an outdated technology. CenturyLink's filing points to this, indicating there are no customers currently subscribed to WATS service, and there is no anticipated demand.

Staff notes that these filings do not remove all references to WATS service from CenturyLink's tariffs, they only remove the references to WATS in the conditions for ADAD service and the related definitions pages. There are no other requested changes to the tariffs approved by the Commission. CenturyLink's requested effective date of December 20, 2019, is more than the required 30 days' notice for tariff changes.

### Conclusion

The replacement tariff pages meet the required rules for notice and do not affect customers. As such, the tariff pages should be allowed to go into effect.

### **PROPOSED COMMISSION MOTION:**

Acknowledge CenturyLink's Advice Nos. 366 and 19-05 tariff filings to become effective with service rendered on and after December 20, 2019.

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**RULES AND REGULATIONS**

2.8 FURNISHING OF MAINTENANCE, AND USE OF FACILITIES AND SERVICE (RULE NO. 8)  
(Cont'd)

D. Telephone Solicitation by Use of Automatic Dialing and Announcing Devices (ADADs) (Cont'd)

4. Conditions on All Other ADADs (Cont'd)

- b. The ADAD must immediately disconnect, releasing the called party's access line, if the called party gives a negative response to the inquiry. If this negative response is to be indicated by hanging up or silence, the instructions must inform the listener that an audible response of any kind will cause the recorded message to play.
- c. During the course of the solicitation, the operator or recorded message must state the total cost of the goods or services offered for sale and the number, timing and amount of installment payments if installment payments are offered as an option.
- d. An ADAD must not be used to call unlisted, unpublished, **or emergency numbers**, (D)  
or to call more than one number held by a called party.
- e. An ADAD may not be used before 9 a.m. nor after 9 p.m.
- f. The ADAD must disconnect and release the line when the called party is using an answering machine.

5. Enforcement

Service may be discontinued, at the direction of the Commission, to anyone violating the provisions set forth above after the Company has notified the offending party and the Commission. The Company will notify the offending party of its right to a hearing before the Commission. Other appropriate regulatory and enforcement authorities will be notified as warranted.