



Oregon

Kate Brown, Governor

Public Utility Commission

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BY EMAIL

United Telephone of the Northwest, dba CenturyLink

Robyn Crichton

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RE: Advice No. 21-02

Staff of the Oregon Public Utility Commission reviewed the sheets in the filing docketed as ADV 1260. A receipted copy of the acknowledged sheet(s) in your advice filing is attached.

/s/ Nolan Moser

Nolan Moser

Chief Administrative Law Judge

Public Utility Commission of Oregon

503-689-3622

CONNECTION WITH CUSTOMER PROVIDED EQUIPMENT

TROUBLE IDENTIFICATION

8.1 CHARGE (T)

A trouble identification charge based on time and material (T&M) charges is applicable to each visit by the Company to a customer's premises where a service difficulty or trouble report results from customer-provided equipment, facilities, or wiring. This charge also applies to necessary testing off premises prior to the premises visit for complex business customers (3 or more access lines). See Section 3 (Service Connection Charges).

Exception: The above charge will not apply if the customer has a maintenance contract with the Company.

8.2 CONDITIONS (T)

A. Charges provided for herein are in addition to the regular schedule of rates and charges. (T)

B. When a service difficulty or trouble is reported to the Company by other than the customer, or detected by Company personnel: (T)

- The Company will first endeavor to clear the trouble without a visit to the customer's premises.
- If the trouble cannot be so cleared, the Company will inform the customer of the trouble condition and that it cannot clear it without a visit to the customer's premises.
- The customer may then temporarily disconnect the CPE from the Company's facilities to determine if the trouble will clear. If the disconnection of the CPE does not clear the trouble and a visit to the customer's premises is still necessary, no trouble identification charge will apply.
- Upon visiting the customer's premises with his consent, if the Company finds the service difficulty or trouble results from the use of CPE, the trouble identification charge will be applicable.
- If the customer asks the Company to defer its visit or does not consent to a Company visit, the Company will have the right to take such immediate action as may be necessary for the protection of its facilities, including temporary disconnection of service, and shall inform the customer of such action.

CONNECTION WITH CUSTOMER PROVIDED EQUIPMENT

8.3 GENERAL REGULATIONS

(T)

- A. FCC registered or grandfathered customer-provided terminal equipment, protective circuit, and communications systems (CPE) may be used with facilities furnished by the Company for telecommunication service subject to the following paragraphs of this section of the tariff. In all cases CPE will be so constructed, maintained, and operated as to:

(T)

- work satisfactorily with the facilities of the Company,
- not interfere with any service offered by the Company,
- not endanger the safety of Company employees or the public, or
- not damage, or require change, or alteration to the facilities of the Company.
- comply with 47 CFR §9.16(b)(1), **(2) and (3)** as described more fully in this Section 8 under Connection of FCC Registered Equipment.

(C)

- B. Upon notice from the Company that the CPE is causing or likely to cause a hazard or interference, the customer shall make changes necessary to remove or prevent such hazard or interference.

(T)

- C. The Company shall not be responsible for the installation, operation, or maintenance of any CPE. Telecommunications service is not represented as being adapted to the use of CPE. Where CPE is connected to Company facilities, the responsibility of the Company shall be limited to:

(T)

- furnishing facilities suitable for telecommunications service, and,
- the maintenance and operation of such facilities as is proper for telecommunications service.

For this reason, the Company will NOT be responsible for:

- the through transmission of signals generated by CPE, or the
- quality of, or defects in, such transmission, or
- the reception of signals by CPE.

- D. The Company will not be responsible if changes in the Company's facilities, operations, or procedures require modification or alteration to CPE or renders CPE obsolete. The Company will give at least ninety (90) days notice in writing if such changes can reasonably be expected to occur.

(T)

- E. The Company will not be responsible for any loss or damage, nor for any impairment or failure of the service resulting from the use of facilities of customers and not caused solely by the negligence of the Company.

(T)

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CONNECTION WITH CUSTOMER PROVIDED EQUIPMENT

8.3 GENERAL REGULATIONS (Cont'd)

- F. The customer will defend and indemnify the Company, its affiliates, agents and contractors from all third party claims, liabilities, fines, penalties, costs and expenses, including reasonable attorneys' fees, arising from or related to customer's, customer's end user's or customer's third-party provider(s)' acts, omissions (including the failure to purchase or implement features that enable the receipt and transmission of direct-dial "911" calls or multi-line telephone system notifications), or failures of connectivity that impede, prevent or otherwise make inoperable the ability of the customer or its end users to directly dial "911" or to receive or transmit multi-line telephone system notifications, as required by law, in the United States. (T)
- G. **Customer will defend and indemnify the Company, its affiliates, agents and contractors from all third party claims, liabilities, fines, penalties, costs and expenses, including reasonable attorneys' fees, arising from or related to any acts or omissions by the customer, customer's end users or customer's third-party provider(s) that cause, give rise to or bring about the non-compliance of the service with any applicable law, including the failure to purchase or implement features that enable compliance with laws.** (N)
|
(N)
- H. The Company will not be liable for damages arising out of injuries to persons or property from voltages or currents transmitted over the facilities of the Company caused by CPE. (T)
- I. The customer indemnifies and saves the Company harmless against claims for infringements of patents arising from combining CPE or using it in connection with facilities of the Company, and against all other claims arising out of any act or omission of the customer in connection with facilities provided by the Company. (T)
- J. To assure continued compatibility of network control signals and the switching equipment involved, network control signaling shall be performed by equipment furnished, installed, and maintained by the Company unless the CPE meets the requirements of Part 68 of the FCC Rules and Regulations. (T)
- K. Where any CPE is used in violation of any provision of this tariff, the Company will promptly notify the customer of the violation and take such immediate action as is necessary for the protection of its services. (T)
- L. The customer shall discontinue such use of the CPE and shall confirm in writing to the Company within two (2) days, that such use has ceased or that the violation has been corrected. (T)

Failure to discontinue such use or correct the violation and to give the required written confirmation to the Company within the two day period, shall result in termination of the customer's service until such time as the customer complies with the provisions of this tariff.

(M)
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(M)

(M) Material moved to Original Page 3.1 of this section.

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CONNECTION WITH CUSTOMER PROVIDED EQUIPMENT

8.3 GENERAL REGULATIONS (Cont'd)

- M. CPE may be connected with telecommunications service only if it is grandfathered or registered in accordance with Part 68 of the FCC Rules and Regulations or is connected by means of registered protective circuitry. (M) (T)
- N. The customer must provide all electrical power necessary for the operation of CPE and associated lines to the point of connection. (T)
- O. All customer provided PBX and Key telephone systems together with its premises wiring must be grandfathered or registered in accordance with Part 68 of the FCC Rules and Regulations. (T)
- P. Customer-provided key telephone instruments may not be connected to Company facilities either directly or indirectly through protective circuitry. (T)
- Q. It is the Company's policy to implement any changes in Part 68 of the Rules and Regulations of the Federal Communications Commission on the effective date stated by that body. Related tariff changes required will be filed without unnecessary delay. (T) (M)

(M) Material moved from Page 3 of this section.

CONNECTION WITH CUSTOMER PROVIDED EQUIPMENT

8.4 CONNECTION OF FCC REGISTERED EQUIPMENT

(T)

A. All FCC registered or grandfathered CPE may be connected to the Company's exchange facilities in accordance with the following:

(T)

- CPE may be directly connected to party line service only with Company-approved, FCC registered protective circuitry or with a customer-provided ringer of the correct frequency.
- CPE connected to exchange facilities will be made through standard plugs and standard Company-provided jacks so as to allow for easy and immediate connection or disconnection. Standards for jacks and plugs are as specified in Part 68 of the FCC Rules and Regulations.
- Before registered CPE may be connected to the Company's exchange facilities, the customer is required to notify the Company of:
 - the line number(s) or directory numbers(s) to which the CPE will be connected, and
 - any other such information that may be required to assure the compatibility of the CPE with the Company's facilities.
- If the CPE is not registered, but is grandfathered in accordance with FCC Rules and Regulations, the customer is required to notify the Company of:
 - the line number(s) or directory number(s) to which the CPE will be connected, and
 - any other such information that may be required to assure the compatibility of the CPE with the Company's facilities.

(T)

B. The Company will maintain a written record of the information provided by the customer. A customer who fails to notify the Company of such connection or is otherwise in violation of Part 68 of FCC Rules and Regulations will be subject to the disconnection of such equipment.

(T)

- Customers shall give notice to the Company upon final disconnection of CPE from the particular line(s) or directory number(s).
- Technical information concerning interface parameters sufficient to allow the customer to properly interconnect the CPE will be provided by the Company upon request.

CONNECTION WITH CUSTOMER PROVIDED EQUIPMENT

8.4 CONNECTION OF FCC REGISTERED EQUIPMENT (Cont'd) (T)

C. Multi-Line Telephone Systems (MLTS) (T)

1. Pursuant to 47 CFR §9.16(b)(1) and (2), multi-line telephone systems connected to the Company's network which were manufactured, imported, sold, leased, or installed after February 16, 2020 must be configured pursuant to 47 CFR §9.16(b)(1) and (2) to: (T)

- allow an end user to directly initiate a "911" call from any station equipped with dialing facilities, without dialing any additional digit, code, prefix, or post-fix, including any trunk-access code such as the digit 9, regardless of whether the user is required to dial such a digit, code, prefix, or post-fix for other calls, and
- provide MLTS notification to a central location at the facility where the system is installed or to another person or organization regardless of location, if the system is able to be configured to provide the notification without an improvement to the hardware or software of the system.

MLTS notification must (1) be initiated contemporaneously with the 911 call, provided that it is technically feasible to do so; (2) not delay the call to 911; and (3) be sent to a location where someone is likely to see or hear it.

Customers who connect multi-line telephone systems to the Company's facilities must agree to defend and indemnify the Company for acts and omissions resulting in non-compliance, as described under General Regulations of this Section **8.3.F**. (T)

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8.4 CONNECTION OF FCC REGISTERED EQUIPMENT

C. Multi-Line Telephone Systems (Cont'd)

2. Pursuant to 47 C.F.R. § 9.16(b)(3), a person engaged in the business of installing MLTS may not install such a system in the United States unless it is configured such that it is capable of being programmed with and conveying the dispatchable location of the caller, as defined in 47 C.F.R. § 9.3, to the PSAP with 911 calls consistent with the requirements below. A person engaged in the business of managing or operating MLTS may not manage or operate such a system in the United States unless it is configured such that the dispatchable location of the caller, as defined in 47 C.F.R. § 9.3, is conveyed to the PSAP with 911 calls consistent with the following requirements:

- On-premise fixed telephones associated with a MLTS must provide dispatchable location by January 6, 2021;
- No later than January 6, 2022, on-premise non-fixed telephones associated with a MLTS must provide dispatchable location where technically feasible, otherwise they shall provide dispatchable location based on end user manual update or on alternative location information as defined in 47 C.F.R. § 9.3;
- No later than January 6, 2022, off-premise non-fixed telephones associated with a MLTS must provide dispatchable location where technically feasible, otherwise they shall provide dispatchable location based on end user manual update, or enhanced location information which may be coordinate based and consisting of the best available location that can be obtained from any available technology or combination of technologies at reasonable cost.
- Additionally, providers of fixed telephony services shall provide automated dispatchable location with 911 calls beginning January 6, 2021 pursuant to 47 C.F.R. § 9.8. Providers of interconnected VoIP service must comply with the location requirements under 47 C.F.R. § 9.11(b)(iv) for non-fixed services as of January 6, 2022. Customers to DID Service capable of accessing 911 emergency services shall be responsible for providing automated dispatchable location information as defined in 47 C.F.R. § 9.3 and for maintaining the accuracy of that information for fixed services as of January 6, 2021 and for non-fixed services where technically feasible as of January 6, 2022.
- Customers, particularly private switch owners, private branch exchange owners, and customers of DID service, may need to purchase additional features or services to comply with the dispatchable location provisions of RAY BAUM's Act. Dispatchable location capability may require Customers to purchase private switch automatic location identification (PS/ALI) service from the Company or from a third-party provider.

Customers who connect multi-line telephone systems to the Company's facilities must agree to defend and indemnify the Company for acts and omissions resulting in non-compliance, as described in Section 8.3.G.

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