

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: January 25, 2022**

REGULAR **CONSENT** **EFFECTIVE DATE** _____ **N/A**

DATE: January 11, 2022

TO: Public Utility Commission

FROM: Joseph Bartholomew

THROUGH: Bryan Conway, John Crider, and Bruce Hellebuyck **SIGNED**

SUBJECT: ZIPLY FIBER NORTHWEST, LLC dba ZIPLY FIBER:
(Docket No. ADV 1364/Advice No. 2021-6)
Revisions to Tariff OPUC No. 18

STAFF RECOMMENDATION:

Staff recommends that the filed tariff be allowed to go into effect on February 1, 2022.

DISCUSSION:

Issue

Whether to allow the tariff filed by Ziplly Fiber Northwest, LLC dba Ziplly Fiber (Ziplly Fiber), which makes changes to the treatment of late payment charges, to go into effect on February 1, 2022.

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 August 17, 2018, with Order No. 18-303 (Docket No. UM 1895), the Commission approved a Price Plan applicable to both Ziplly Fiber and its affiliate, Ziplly Fiber of Oregon, LLC dba Ziplly Fiber, as allowed by ORS 759.255.¹

Section 9.a.i of the Price Plan requires tariff filings to be made at least 30 days prior to their effective dates. Section 9.b.i of the price plan states that a 30 day notice to the

¹ Order No. 18-303 was amended on February 14, 2019, with Order No. 19-038.

customers is required for price increases and changes to the terms or conditions of service.

OAR 860-021-0126 lays out the Commission rules regarding late-payment charges and requires that the telecommunications utility has filed the late-payment charge in its rate schedule.

Analysis

On December 30, 2021, Ziplly Fiber filed a tariff change to OPUC No. 18 with an effective date of February 1, 2022.

With this filing, Ziplly Fiber is making a revision in order to increase operational efficiency by having a single approach to late payments across all products. Changes to this tariff are as follows:

- Section III, 1st Revised Sheet 5
- Section IV, 1st Revised Sheet 65

Within these changes, Ziplly Fiber removed the minimum \$20.00 balance to be carried forward in order to assess a late fee. Ziplly Fiber also removed the reference to interest of one and a half percent to be applied to late fees for Tribal Link Up Services and now contains a reference only to the Late Payment Charge specified in their tariff, as authorized by OAR 860-021-0126. They also changed the phrase "Native American Lifeline Services" to "Tribal Lifeline Services" in this section. All these proposed changes comply with the requirements of OAR 860-021-0126.

Ziplly Fiber notified affected customers 30 days prior to the effective date as required in section 9.b.i of the Price Plan.

Conclusion

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

PROPOSED COMMISSION MOTION:

Allow Ziplly Fiber Docket No. ADV 1364/Advice No. 2021-6 to go into effect on February 1, 2022.