

**OREGON PUBLIC UTILITY COMMISSION
INTEROFFICE CORRESPONDENCE**

DATE: December 27, 2023

TO: File through Marc Hellman

FROM: Joseph Bartholomew

SUBJECT: ZIPLY FIBER NORTHWEST, LLC dba ZIPLY FIBER: (Docket No. ADV 1569/Advice No. 2023-5) Price increase for Residential Access Line.

I have reviewed this filing and recommend that an acknowledgement letter be sent.

Applicable Rule or Law

Telecommunications utilities are required by ORS 759.175 to submit tariff filings to the Commission whenever they intend to change their rates, terms, or conditions of service. Ziplly Fiber Northwest, LLC Ziplly Fiber (Ziplly) operates under a price plan pursuant to ORS 759.255, under which the Commission regulates prices without regard to the return on investment of the utilities. The Ziplly Price Plan was approved in Docket UM 1895 with Order No. 18-303, and became effective on August 17, 2018.

Among its numerous provisions, the Ziplly Price Plan contains price rules (most often in the form of price caps) and availability requirements for various services, including Primary Line Basic Service (PLBS). Section 1(g) of the Price Plan defines PLBS as the first line only of basic local exchange service for an individual residential or business customer that is not sold as part of a package. Under Section 4(e)(i) of the Price Plan, the Companies may increase monthly flat rates for residential PLBS services by a maximum of \$3.00 per Price Plan year, with a maximum increase of \$10.00 over the four-year term of the Price Plan. Section 4(e)(i) of the Price Plan also limits the line component of the residential measured service rate to 70 percent of the flat residential PLBS rate.

Section (9) of the Price Plan requires tariff changes to be filed with the Commission at least 30 days prior to the effective date of the change and requires the Companies to provide customers subscribing to affected service 30 days' notice of any increases.

Analysis

On November 20, 2023, Ziplly submitted ADV 1569 Advice No. 2023-5. The purpose of the filing is to increase the Residence Access Line monthly rate. Customers began receiving notifications on November 20, 2023, via bill message and will continue to

receive notifications via bill message through February, 2024 with an effective date of January 2, 2024.

The following changes have been made to the OPUC No. 18 Tariff:

<u>Name</u>	<u>Section</u>	<u>Sheet</u>	<u>Revised/Original</u>	<u>Original Price</u>	<u>New Price</u>	<u>Increase</u>
Network Access Charge - One-Party	IV	3	3rd Revised	\$15.92	\$18.92	\$3.00
Network Access and Local Exchange Usage Charge - One-Party	IV	4	3rd Revised	\$22.35	\$25.35	\$3.00
Network Access and Local Exchange Usage Charge - One-Party	IV	5	3rd Revised	\$22.75	\$25.75	\$3.00

Staff finds it appropriate to approve the Tariff No.18 increases effective January 2, 2024, as the requested price change does not exceed the maximum annual price increase.

Conclusion

Staff finds that the filing complies with Oregon statutes, applicable Price Plan requirements, and the requirements of ORS 759.175 and therefore, should be allowed to go into effect.