

HARDY MYERS  
Attorney General



PETER D. SHEPHERD  
Deputy Attorney General

**DEPARTMENT OF JUSTICE**  
GENERAL COUNSEL DIVISION

May 25, 2006

Filing Center  
Public Utility Commission of Oregon  
550 Capitol Street, NE  
PO Box 2148  
Salem, Oregon 97301

Re: UM 1175 and UM 1207

Dear Filing Center:

Enclosed for filing please find Staff Response to Qwest's Petition for a Waiver of Customer Notification Requirements in Order Nos. 06-226 and 06-198.

Very truly yours,

Stephanie S. Andrus  
Assistant Attorney General

Enc.  
c. Service list

1 **BEFORE THE PUBLIC UTILITY COMMISSION**  
2 **OF OREGON**  
3 **UM 1175/UM 1207**

4 In the Matter of  
5 EXTENDED AREA SERVICE  
6 Petition by the Chitwood Exchange for EAS to  
7 the Blodgett, Corvallis, Harlan, Philomath,  
8 Siletz and Summit Exchanges  
9 Petition by the Antelope Exchange for EAS to  
the Culver, Redmond and Bend Exchanges

STAFF RESPONSE TO QWEST'S PETITION  
FOR A WAIVER OF CUSTOMER  
NOTIFICATION REQUIREMENTS IN ORDER  
NOS. 06-226 AND 06-198

10 Qwest Corporation ("Qwest") has petitioned the Commission for a waiver of the  
11 customer notification requirements in Order Nos. 06-226 and 06-198. For the reasons that  
12 follow, staff objects to Qwest's request, in part.

13 OPUC Order Nos. 06-226 and 06-198 require Qwest to mail a brochure about EAS to  
14 each customer in each of the exchanges listed in the above caption. OPUC Order Nos. 06-226  
15 and 06-198 contain very specific instructions as to the content of the brochures. Qwest asks the  
16 Commission to waive the requirement that it send a brochure with the required information to  
17 customers of certain communities that *may* receive new EAS routes without a rate change.  
18 Qwest does not ask that it be completely excused from notifying customers in such communities  
19 about EAS or EAS changes. Instead, Qwest asks that it be allowed to provide the necessary  
20 notifications through a message on the customers' telephone bill or an insert to the customers'  
21 bill.

22 Consistent with waivers granted in Order Nos. 04-422 and 04-489, staff does not object  
23 to Qwest's request for waiver, insofar as it applies to customers who will experience only a  
24 change in EAS route, but *no* concomitant change in rates. However, because Qwest's request for  
25 waiver would subsume a broader range of customers, those who would experience a change in

1 EAS route and who *may* experience a change in rates, depending on whether the customer elects  
2 measured EAS service with a usage package, staff objects to the request for waiver, in part. In  
3 this proceeding, Qwest increased measured EAS rates for some of its discounted usage packages  
4 in order to maintain revenue neutrality. Because of this, measured EAS customers using  
5 discounted usage packages will require the more extensive customer notice requirements from  
6 Order No. 91-1140 that underlie the two orders (Order Nos. 06-226 and 06-198) in this  
7 consolidated EAS investigation.

8 In other words, staff does not object to Qwest's petition to the extent it applies to  
9 customers who will only experience a change in EAS route but no concomitant change in rate.  
10 Staff does object to Qwest's petition to the extent it applies to customers who will experience a  
11 change in EAS route and who will experience a rate change as well. Qwest customers who  
12 receive a new EAS route as a result of this proceeding, and who will experience an increase in  
13 any rate as a result, should receive the brochure required by Order Nos. 06-226 and 06-198.  
14 Staff believes the bill notice proposed by Qwest is not adequate for these customers.

15

16 DATED this \_\_\_\_\_ day of May 2006.

17

Respectfully submitted,

18

HARDY MYERS  
Attorney General

19

20

---

Stephanie S. Andrus, #92512  
Assistant Attorney General  
Of Attorneys for Staff of the Public  
Utility Commission

21

22

23

24

25

26

CERTIFICATE OF SERVICE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

I hereby certify that on the \_\_\_\_\_ day of May 2006, I served the within STAFF  
RESPONSE TO QWEST'S PETITION FOR A WAIVER OF CUSTOMER NOTIFICATION  
REQUIREMENTS IN ORDER NOS. 06-226 AND 06-198 upon the following persons by  
electronic mail,\* and by then depositing in the United States Post Office at Salem, Oregon, a full,  
true and correct copy thereof addressed to:

Shane Gomes PO Box 70 Antelope, Oregon 97001	Steve Crosby Cascade Utilities Inc. PO Box 189 Estacada, Oregon 97023
Lance Ball PO Box 2148 Salem, Oregon 97308	Don Mason 421 SW Oak Street Room 810 Portland, Oregon 97204
Brenda Crosby Trans-Cascades Telephone Co PO Box 189 Estacada, Oregon 97023	Nancy Lee Bohlman 5613 Nashville Road Eddyville, Oregon 97343
Randy Morgan Pioneer Telephone Cooperative PO Box 631 Philomath, Oregon 97370	

and prepaying the postage thereon.

Stephanie S. Andrus, #92512  
Assistant Attorney General  
Of Attorneys for Defendant

\* No e-mail address was available for Shane Gomes and he was not served electronically.