

HARDY MYERS
Attorney General



PETER D. SHEPHERD
Deputy Attorney General

DEPARTMENT OF JUSTICE
GENERAL COUNSEL DIVISION

March 29, 2005

Filing Center
550 Capitol Street, NE
Suite 215
PO Box 2148
Salem, Oregon 97308-2148

Re: UM 1177

Dear Filing Center:

Enclosed for filing please find staff of the Public Utility Commission of Oregon's Request to Schedule Prehearing Conference.

Thank you for your attention.

Very truly yours,

Stephanie S. Andrus
Assistant Attorney General

Enc.
c. Service List

1 **BEFORE THE PUBLIC UTILITY COMMISSION**
2 **OF OREGON**
3 **UM 1177**

4 In the matter of

5 **EDGE WIRELESS LLC**
6 Application for Designation as an Eligible
7 Telecommunications Carrier, Pursuant to the
8 Telecommunications Act of 1996 (Rural
9 Areas).

REQUEST TO SCHEDULE PREHEARING
CONFERENCE

9 On March 4, 2005, staff of the Public Utility Commission of Oregon (staff) requested that
10 the administrative law judge (ALJ) suspend the procedural schedule in this docket to allow
11 opportunity for the parties to determine how a recent ruling of the Federal Communications
12 Commission (FCC) imposing additional requirements on applicants for status as an eligible
13 telecommunications carrier (ETC) affects the application at issue in this proceeding. At that
14 time, the FCC had yet to release its written order. Now, the FCC has issued the anticipated
15 order. Accordingly, staff asks that the ALJ schedule a pre-hearing conference in this docket in
16 order to set the remaining procedural schedule.

17 The FCC released its written order regarding ETC-related issues on March 17, 2005.¹
18 During a telephonic meeting on April 4, 2005, the parties to this proceeding intend to discuss the
19 impact that order will have on this proceeding. At that time, the parties will discuss their
20 proposals for the remainder of the procedural schedule.

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26 ¹ Counsel for staff understands that the ALJ has already obtained a copy of this order from staff,
so a copy of the order is not appended to this request.

1 Now that the FCC has issued its order, staff asks that the ALJ schedule a pre-hearing
2 conference at her convenience in order to set the remainder of the procedural schedule for this
3 docket.² The parties are all available for such a conference on Thursday, April 7, 2005 at 9:30
4 a.m., in the event that time is convenient for the ALJ.

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6 DATED this _____ day of March 2005.

7 Respectfully submitted,

8 HARDY MYERS
9 Attorney General

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11 _____
12 Stephanie S. Andrus, #92512
13 Assistant Attorney General
14 Of Attorneys for staff of the Public
15 Utility Commission of Oregon

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² In the motion to suspend the schedule, staff believed that it would be possible to meet
informally with the other parties within 7 days of issuance of the FCC's order. The schedules of
the parties, including staff, did not permit such a prompt meeting.

CERTIFICATE OF SERVICE

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I hereby certify that on the _____ day of March 2005, I served the within REQUEST TO SCHEDULE PREHEARING CONFERENCE upon the following persons by electronic mail,³ and by then depositing in the United States Post Office at Salem, Oregon, a full, true and correct copy thereof addressed to:

<p>OREGON TELECOMMUNICATIONS ASSN 707 13TH ST SE STE 280 SALEM OR 97301-4036</p>	
<p>DAVE BOOTH PUBLIC UTILITY COMMISSION PO BOX 2148 SALEM OR 97308-2148 dave.booth@state.or.us</p>	<p>RICHARD A FINNIGAN LAW OFFICE OF RICHARD A FINNIGAN 2405 EVERGREEN PARK DR SW STE B-1 OLYMPIA WA 98502 rickfinn@ywave.com</p>
<p>KAY MARINOS PUBLIC UTILITY COMMISSION OF OREGON PO BOX 2148 SALEM OR 97308-2148 kay.marinus@state.or.us</p>	<p>MARK P TRINCHERO DAVIS WRIGHT TREMAINE LLP 1300 SW FIFTH AVE STE 2300 PORTLAND OR 97201-5682 marktrinchero@dwt</p>

and prepaying the postage thereon.

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

³ The Oregon Telecommunications Association’s counsel was served by electronic mail, but the association itself was not.