

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
Telecommunications Act of 1996.

STAFF REPORT AND REQUEST FOR
APPROVAL OF PROCEDURAL SCHEDULE

8 On January 31, 2005, the parties to Docket No. UM 1177, Edge Wireless LLC (“Edge”),
9 the Oregon Telecommunications Association (“OTA”) and Staff of the Public Utility
10 Commission (“staff”) attended a workshop/settlement conference to discuss Docket No. UM
11 1177. At that conference, representatives of Edge answered questions from the other parties
12 regarding its application for designation as an eligible telecommunications carrier (ETC) and
13 agreed to provide to the parties additional maps depicting its coverage area vis-à-vis certain
14 exchanges as soon as possible. Edge also agreed to file a supplement to its application
15 providing additional information or formalizing its position regarding various issues identified
16 by the other parties. Finally, all parties agreed that it would be appropriate for Edge to file a
17 Motion to Consolidate Docket Nos. UM 1176 and UM 1177 at the time it files a supplement to
18 its application. UM 1176 is Edge’s companion application to become an ETC in territory served
19 by non-rural carriers.

20 In response to the information provided by Edge, OTA believes it is likely to withdraw its
21 objection to Edge’s application for designation as an eligible telecommunications carrier. OTA’s
22 final decision regarding withdrawal of its objection will turn on its review of the maps that Edge
23 has agreed to provide to parties as soon as possible and its review of the revised application to be
24 submitted by Edge. OTA’s decision may be made by February 11, 2005, depending on the
25 timing of receipt of the information to be provided by Edge, but in no event would be later than
26 March 4, 2005.

1 Staff believes that in light of OTA's likely withdrawal of its objection, only limited
2 procedures are needed before this matter may be submitted to the Commission for decision. The
3 following procedural schedule was agreed to by all the parties, based on the assumption that
4 OTA withdraws its objection to the application:

5
6 **February 11, 2005** **Edge files supplement to application and Motion to Consolidate**

7 **March 4, 2005** **Staff files comments regarding application¹**

8 Under this proposed schedule, the parties do not anticipate the need for a hearing, and propose
9 that the administrative law judge (ALJ) take the matter under advisement upon receipt of staff's
10 comments.

11 In the event that OTA does not withdraw its objection, the parties will ask the ALJ to
12 revise this schedule to extend the date for staff comments/testimony, and add dates for intervenor
13 testimony, Edge rebuttal testimony and a hearing. Such a request would be made no later than
14 the due date for staff comments under the proposed schedule, which is March 4, 2005.

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26 ¹ It is Edge's hope that the Commission will have sufficient time to issue an order in this docket prior to March 31, 2005.

1 **CONCLUSION**

2 Staff requests that the ALJ adopt the procedural schedule set forth above, which calls for
3 Edge to supplement its application no later than February 11, 2005 and for Staff to file comments
4 regarding the application no later than March 4, 2005. In the event that OTA does not withdraw
5 its objection, the parties will request that the ALJ revise the schedule to provide for intervenor
6 and rebuttal testimony as well as a hearing.

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8 DATED this _____ day of February 2005.

9
10 Respectfully submitted,

11 HARDY MYERS
12 Attorney General

13 _____
14 Stephanie S. Andrus, #92512
15 Assistant Attorney General
16 Of Attorneys for Staff of Public Utility
17 Commission of Oregon
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CERTIFICATE OF SERVICE

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I hereby certify that on the _____ day of February 2005, I served the within STAFF REPORT AND REQUEST FOR APPROVAL OF PROCEDURAL SCHEDULE upon the UM 1177 Service List, by then depositing in the United States Post Office at Salem, Oregon, a full, true and correct copy thereof addressed to:

Oregon Telecommunications Association
707 13th Street, SE
Suite 280
Salem, Oregon 97301-4046

Richard Finnigan
2405 Evergreen Park Drive, SW
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Olympia, Washington 98502

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Dave Booth
Kay Marinos
Public Utility Commission of Oregon
PO Box 2148
Salem, Oregon 97308-2148

and prepaying the postage thereon.

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