1	BEFORE THE PUBLIC UTILITY COMMISSION		
2	OF OREGON		
3	UM 731		
4	Phase III		
5	In the Matter of		
6	The Investigation of Universal Service in the State of Oregon	STAFF'S MOTION TO AMEND COMMISSION	
7		ORDER NO. 99-197 (Issued in UM 731, Phase III)	
8	Staff of the Public Utility Commission of Oregon (staff) requests the Commission amend		
9	its Order No. 99-197 (issued in UM 731, Phase III) in one respect. Staff asks that the Order be		
10	amended to allow for either staff or an independent auditor to review, and if necessary, audit the		
11	Administrator charged with administering the Oregon Universal Service Fund (OUSF) program.		
12	Staff makes this request because staff has determined it has the expertise to conduct the required		
13	review and, in most cases, audit. By using existing Commission resources to perform the		
14	required review and audit, the Commission may avoid the expense of retaining an outside		
15	auditor. Staff provides its suggested amending language as follows:		
16	Order's current language:		
17	Resolution		
18	We agree that the Administrator should	be audited annually to determine whether it is	
19	performing according to the standards we have established. We direct that an independent		
20	auditor be employed for that audit, to be paid fr	om OUS funds. We adopt Staff's proposal that it	
21	audit the accuracy of the information provided l	by the carriers to the Administrator. We also	
22	agree that no useful purpose would be served by attempting to track OUS funds through the		
23	operations of the carriers. Lastly, we adopt Staff's proposal for a review of the success of the		
24	program starting two years after distributions commence.		
25	See Order No. 99-197 at 15-16 (Issue 18).	•	
26			
Page	1 - STAFF'S MOTION TO AMEND COMMIS	SION ORDER NO. 99-197	

MTW/nal:#3136495

1	Staff's suggested amending language to the Order No. 99-197 (shown in Bold print)
2	Resolution
3	We agree that there should be an annual review of the Administrator's compliance with
4	the scope of work contained in the Administrator's contract. We direct Commission staff to
5	conduct this compliance review. In addition, if the Oregon Universal Service Fund Board
6	(Board) determines that an audit is needed, the Board is authorized to retain an
7	independent auditor to assist with, or conduct in full, that specific audit. If an independent
8	auditor is retained, such auditor should be paid from OUS funds. We adopt Staff's proposal
9	that it audit the accuracy of the information provided by the carriers to the Administrator. We
10	also agree that no useful purpose would be served by attempting to track OUS funds through the
11	operations of the carriers. Lastly, we adopt Staff's proposal for a review of the success of the
12	program starting two years after distributions commence.
13	DATED this $\frac{19}{9}$ day of December 2011.
14	Respectfully submitted,
15	
16 17	JOHN R. KROGER Attorney General
18	Mil. A
19	Michael T. Weirich, #82425
20	Assistant Attorney General Of Attorneys for the Public Utility Commission
21	of Oregon
22	
23	
24	
25	

Page 2 - STAFF'S MOTION TO AMEND COMMISSION ORDER NO. 99-197 MTW/nal:#3136495

26

Department of Justice 1162 Court Street NE Salcm, OR 97301-4096 Telephone: (503) 947-4342 Fax: (503) 378-3784

## CERTIFICATE OF SERVICE 1 2 I certify that on December 19, 2011, I served the foregoing Staff Motion upon all parties 3 of record in this proceeding by delivering a copy by electronic mail only to: 4 adam@mcd-law.com; barbara.c.young@centurylink.com; 5 bwolf@ota-telecom.org; 6 catriona@oregoncub.org; ckoldsbaek@gvnw.com; 7 dkdenney@integratelecom.com; 8 doug cooley@cable.comcast.com; jennifer.martin@teligent.com; 9 jfranell@eotnet.com; \_ijoxley@integratelecom.com; 10 iohn@oregoncub.org; 11 jsmith@gvnw.com; lisa@mcd-law.com; 12 lorraine.kocen@verizon.com; 13 marktrinchero@dwt.com; michael.weirich@doi.state.or.us; 14 rab@jurislex.com; renee.willer@ftr.com; 15 rickfinn@localaccess.com; 16 rkos@rdkcompany.com; sbarret@neca.org; 17 slmullin@att.com; 18 tims@comspancomm.com; tre.hendricks@centurylink.com; 19 aab@aterwynne.com; bvargasduncan@cityofsalem.net; 20 calvin.simshaw@centurytel.com; 21 chuck@charleslbest.com; cindy.manheim@att.com; 22 david.collier@att.com; 23 edparker@teleport.com; gail.long@tdstelecom.com; 24 gordon@oregoncub.org; jchicoin@czn.com; 25 !reichman@perkinscoie.com; 26 mike@tonkon.com; phauer@bctelco.com;

## Page 1 - CERTIFICATE OF SERVICE – UM 731 (Phase III)

Department of Justice 1162 Court Street NE Salem, OR 97301-4096 (503) 947-4342 Fax: (503 378-3784

1	ron.trullinger@centurylink.com;	
2	waldbads@lga.att.com; wheelerb@cuaccess.net;	
3		
4		Menna Jane
5		Neoma Lane
6		Legal Secretary Department of Justice
7		Business Activities Section
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		•
22		
23		
24		
25		
26		

CERTIFICATE OF SERVICE – UM 731 (Phase III)

Department of Justice
1162 Court Street NE
Salem, OR 97301-4096
(503) 947-4342 Fax: (503 378-3784

1	BEFORE THE PUBLIC UTILITY COMMISSION		
2	OF OREGON		
3	UM 731		
4	Phase III		
5	In the Matter of		
6 7	The Investigation of Universal Service in the State of Oregon	STAFF'S MOTION TO AMEND COMMISSION ORDER NO. 99-197 (Issued in UM 731, Phase III)	
8	Staff of the Public Utility Commission of Oregon (staff) requests the Commission amend		
9	its Order No. 99-197 (issued in UM 731, Phase III) in one respect. Staff asks that the Order be		
10	amended to allow for either staff or an independent auditor to review, and if necessary, audit the		
11	Administrator charged with administering the Oregon Universal Service Fund (OUSF) program.		
12	Staff makes this request because staff has determined it has the expertise to conduct the required		
13	review and, in most cases, audit. By using existing Commission resources to perform the		
14	required review and audit, the Commission may avoid the expense of retaining an outside		
15	auditor. Staff provides its suggested amending language as follows:		
16	Order's current language:		
17	Resolution		
18	We agree that the Administrator should	be audited annually to determine whether it is	
19	performing according to the standards we have established. We direct that an independent		
20	auditor be employed for that audit, to be paid from OUS funds. We adopt Staff's proposal that it		
21	audit the accuracy of the information provided by the carriers to the Administrator. We also		
22	agree that no useful purpose would be served by attempting to track OUS funds through the		
23	operations of the carriers. Lastly, we adopt Staff's proposal for a review of the success of the		
24	program starting two years after distributions commence.		
25	See Order No. 99-197 at 15-16 (Issue 18).		
26			

Page 1 - STAFF'S MOTION TO AMEND COMMISSION ORDER NO. 99-197  $_{\rm MTW/nal:\#3136495}$ 

1	Staff's suggested amending language to the Order No. 99-197 (shown in Bold print)	
2	Resolution	
3	We agree that there should be an annual review of the Administrator's compliance with	
4	the scope of work contained in the Administrator's contract. We direct Commission staff to	
5	conduct this compliance review. In addition, if the Oregon Universal Service Fund Board	
6	(Board) determines that an audit is needed, the Board is authorized to retain an	
7	independent auditor to assist with, or conduct in full, that specific audit. If an independent	
8	auditor is retained, such auditor should be paid from OUS funds. We adopt Staff's proposal	
9	that it audit the accuracy of the information provided by the carriers to the Administrator. We	
10	also agree that no useful purpose would be served by attempting to track OUS funds through the	
11	operations of the carriers. Lastly, we adopt Staff's proposal for a review of the success of the	
12	program starting two years after distributions commence.	
13	DATED 11 40th 1 CD 1 2011	
14	DATED this 19 <sup>th</sup> day of December 2011.	
15	Respectfully submitted,	
16	JOHN R. KROGER Attorney General	
17	Attorney General	
18	s/Michael T. Weirich	
19	Michael T. Weirich, #82425 Assistant Attorney General	
20	Of Attorneys for the Public Utility Commission of Oregon	
21	of olegon	
22		
23		
24		
25		

Page 2 - STAFF'S MOTION TO AMEND COMMISSION ORDER NO. 99-197  $_{\mbox{\scriptsize MTW/nal:}\#3136495}$ 

26