

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: August 25, 2020**

REGULAR CONSENT EFFECTIVE DATE August 28, 2020

DATE: August 6, 2020

TO: Public Utility Commission

FROM: Malia Brock

THROUGH: Bryan Conway, Michael Dougherty, and Bruce Hellebuyck **SIGNED**

SUBJECT: FRONTIER COMMUNICATIONS NORTHWEST, LLC:
(Docket No. ADV 1163/Advice No. 20-01)
Oregon Telephone Assistance Program Revisions.

STAFF RECOMMENDATION:

Staff recommends that the filed tariff be allowed to go into effect on Less than Statutory Notice (LSN) for service on and after August 28, 2020.

DISCUSSION:

Issue

Whether to allow the tariff filed by Frontier Communications Northwest, LLC. (Frontier) to go into effect on Less than Statutory Notice (LSN) for service on and after August 28, 2020.

Applicable Law

Telecommunications utilities are required under ORS 759.175 to submit tariff filings to the Commission whenever they intend to change their rates, terms, or conditions of service. On August 17, 2018, with Order No. 18-303 (Docket No. UM 1895), the Commission approved a Price Plan applicable to both Frontier Communications Northwest Inc. (Frontier) and its affiliate, Citizens Telecommunications Company of Oregon, as allowed by ORS 759.255.¹

¹ Order No. 18-303 was amended on February 14, 2019, with Order No. 19-038.

Section 9.a.ii of the Price Plan requires tariff filings to be made at least 30 days prior to their effective dates.

Filings that propose any change in rates, tolls, charges, rules, or regulations must be filed with the Commission at least 30 days before the effective date of the change. ORS 759.190. Tariff filings to be effective on less than 30 days following notice of the change may be authorized with a waiver of less than statutory notice pursuant to ORS 759.190.

Analysis

Both Frontier Communications Northwest Inc. and Citizens Telecommunications Company of Oregon were purchased by Northwest Fiber LLC (ZiPLY Fiber or ZiPLY). That purchase was approved by the Commission in Order No. 20-026 in Docket No. UM 2028. Subsequently, Frontier is now a registered provider in Oregon as Frontier Communications Northwest, LLC.

Frontier's July 31, 2020, filing proposes to replace its original Tariff No. 18 filed under Frontier Communications Northwest Inc. as the new company, Frontier Communications Northwest, LLC in Tariff No. 19. Pages relating to changes in the OTAP benefit amount were filed in ADV 1163. Accordingly in this Advice No. 1163, Frontier filed new tariff sheets for Section IV, Original Sheet 63 of P.U.C. OR. No. 19.

This filing was made to file tariffs that conform Frontier's tariff language to reflect both Frontier's new ownership and the temporary rule adopted in Commission Order No. 20-204 issued in Docket No. AR 634. Under the temporary rule adopted in Docket No. AR 634, the Commission has temporarily changed the amount of support for the OTAP, set forth in OAR 860-033-0035. The support amount was increased to offset the financial burden of the COVID-19 pandemic on low-income Oregonians and enable qualifying low income households to retain or enhance the supported voice and broadband internet access services they receive. The rule amendments increased the amount of OTAP support for customers that are paying a monthly rate, from \$3.50 up to \$12.00 per month, effective July 1, 2020.

The filing was submitted on July 31, 2020, and Frontier's second supplemental filing was made on August 12, 2020. As this advice is effective on August 28, 2020, Frontier also filed an application for less than statutory notice.

Given the need to replace Frontier's current tariff to reflect the new ownership and to update the reference to the benefit amount of the OTAP credit, Staff finds that there is good cause for the LSN to correct the information available to customers in the tariff

regarding this benefit. Staff finds it appropriate to approve the tariff effective August 28, 2020.

Conclusion

Staff finds that the filing with approval of the LSN complies with the requirements of the Frontiers Price Plan, the related Oregon statutes, and therefore, should be allowed to go into effect.

PROPOSED COMMISSION MOTION:

Allow Frontier's Advice No. 20-01 to go into effect for service rendered on and after July 31, 2020, on less than statutory notice.