PUBLIC UTILITY COMMISSION OF OREGON STAFF REPORT PUBLIC MEETING DATE: August 22, 2023

REGULAR CONSENT X EFFECTIVE DATE N/A

- **DATE:** August 11, 2023
- **TO:** Public Utility Commission
- **FROM:** Kathy Shepherd
- THROUGH: Bryan Conway and Marc Hellman SIGNED
- **SUBJECT:** OREGON PUBLIC UTILITY COMMISSION STAFF: Request to cancel certificates of authority to provide telecommunications service in Oregon of carriers who violated the terms and conditions of their certificate.

STAFF RECOMMENDATION:

Staff recommends the Public Utility Commission of Oregon (Commission) cancel the certificate of authority to provide telecommunications services for the competitive provider listed below.

DISCUSSION:

ORS 759.020 authorizes the Commission to grant certificates of authority to competitive providers who intend to provide telecommunications service in Oregon. The Commission grants certificates with conditions. Among them are OAR 860-032-0060, which requires providers to submit annual reports to the Commission, and OAR 860-032-0095, which requires providers to pay an annual revenue fee and submit an annual fee statement.

In addition, ORS 759.425 and OAR 860-100-0110 require providers to comply with Oregon Universal Service Fund (OUSF) requirements. Pursuant to OAR 860-032-0008(2) and OAR 860-032-0015(1)(b), failure to comply with applicable statutes and rules can result in cancellation of a company's authority to provide telecommunications service in Oregon.

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The following competitive provider has failed to:

- 1. File a 2022 Annual Report Form L;
- 2. File a 2022 Annual Fee Statement or pay the annual fee; and/or
- 3. Comply with OUSF requirements for 2022 and 2023.

ORS 756.515(4) provides that the Commission may, after investigation, but without hearing, make such findings and orders as deemed justified by the results of its investigation. As a result of not complying with Commission rules and terms of their certificate, the following competitive provider should have their certificate of authority to provide telecommunications service in Oregon canceled.

DOCKET NO.

COMPANY NAME

CP 1379

America Net, LLC

Pursuant to OAR 860-001-0720, the company has 60 days to file for reconsideration of this cancellation.

PROPOSED COMMISSION MOTION:

Cancel America Net, LLC's certificate of authority to provide telecommunications service in Oregon.