

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: June 19, 2018**

REGULAR _____ CONSENT X EFFECTIVE DATE _____ N/A

DATE: June 7, 2018

TO: Public Utility Commission

FROM: Kathy Shepherd *KS*

THROUGH: Jason Eisdorfer, Bryan Conway, and Kay Marinos *J* *BC* *KM*

SUBJECT: AT&T CORP: (Docket No. CP 1539) Petition for Waiver of Notice Requirement of OAR 860-032-0020(11).

STAFF RECOMMENDATION:

The Commission should grant the petition by AT&T Corp (AT&T) seeking waiver of the 90-day time period for customer and Commission notification of abandonment of service under OAR 860-032-0020(11), and permit a notice period of approximately 45 days.

DISCUSSION:

AT&T is a competitive telecommunications provider certificated to provide interexchange and intraexchange services in Oregon. See Docket No. CP 1539, Order No. 12-393.

On May 18, 2018, AT&T filed notice with the Commission that AT&T will be discontinuing Lucky Dog Phone Co. (Lucky Dog) 10-10-345 domestic long-distance dialing services effective June 29, 2018. Oregon customers will be able to use the traditional AT&T domestic dial around service 10-10-288.

OAR 860-032-0020(11) governs abandonment of service by competitive telecommunications service providers. This rule requires the provider to give 90 days' notice to both the affected customers and the Commission prior to the abandonment of service. Petitioners request a waiver of the rule requiring 90 days' notice.

In its Notice of Discontinuance, AT&T states that the discontinuance of Lucky Dog 10-10-345 service is due to the billing service vendor, Business Services Group, terminating its contract for billing services with AT&T effective June 29, 2018. As AT&T

is discontinuing this service nationwide, it must comply with FCC and other state notification requirements, most of which require only 30 days' notice. The Lucky Dog service has declined in popularity over the years due to the growth of other communication methods, include mobile phones, text messaging, email, and other social media applications. There were only 11 total related calls completed in Oregon in the past six months. Customers were notified of the discontinuance in a mass mailing on May 14, 2018. AT&T notified the Commission on May 18, 2018, approximately 45 days prior to the planned discontinuance. Therefore, AT&T filed a request for waiver of OAR 860-032-0020(11), specifically the 90-day notification period for customers and the Commission. OAR 860-032-0020(16) allows the Commission to grant a request to waive any time period or requirement of the rules for good and sufficient reason.

AT&T believes the public interest will not be harmed by granting the waiver and allowing approximately 45 days for customer and Commission notice. Staff agrees in this case based on the small number of Oregon customers affected, the many other options available to customers, and the lack of an alternative billing solution which AT&T could put in place prior to the discontinuance date. AT&T believes that the impact on customers is minimal.

PROPOSED COMMISSION MOTION:

Grant AT&T Corp's request for waiver of the 90-day notice period for customer and Commission notification of abandonment of service under OAR 860-032-0020(11), and permit a notice period of approximately 45 days.