

**OREGON PUBLIC UTILITY COMMISSION
INTEROFFICE CORRESPONDENCE**

DATE: December 12, 2023

TO: File through Marc Hellman

FROM: Joseph Bartholomew

SUBJECT: ZIPLY FIBER NORTHWEST, LLC: (Docket No. ADV 1544/Advice No. 2023-4 and Docket No. ADV 1578/Advice No. 2023-8)
Change Rates for Unbundled Network Elements.

I have reviewed these filings and recommend that acknowledgement letters be sent.

Applicable Rule or Law

On October 27, 2020, the FCC adopted FCC 20-152, which eliminated the need for obsolete regulatory obligations related to Unbundled Network Elements because of competitive markets.

Analysis

Ziply Fiber Northwest (Ziply) increased rates for its Statement of Rates related to the Network Elements, Unbundled Loop, Basic Loop 2-wire Zones 1/2/3, Basic Loop 4-wire Zones 1/2/3, DS1 Loop, and DS3 Loop for Docket No. ADV 1544. Ziply also increased rates for Basic Rate ISDN Loop 2-wire Zones 1/2/3 for Docket No. ADV 1578. Accordingly, revisions were made to the following Statement of Rates pages:

Zipty Fiber Northwest ADV 1544, Advice No. 2023-4/
 ADV 1578, Advice No 2023-8
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| Docket ADV 1544 | | | | | | |
|------------------------|-------|----------|--|----------------------|------------------|------------|
| Section | Sheet | Revision | Network Elements, Local Basic Loop (2-Wire), per loop | | | |
| | | | | Current Monthly Rate | New Monthly Rate | Increase |
| 2 | | 3 3rd | | | | |
| | | | Zone 1 | \$42.06 | \$65.73 | \$23.67 |
| | | | Zone 2 | \$42.06 | \$65.73 | \$23.67 |
| | | | Zone 3 | \$50.16 | \$65.73 | \$15.57 |
| | | | Basic Loop (4-wire), per Loop | | | |
| | | | Zone 1 | \$28.72 | \$101.25 | \$72.53 |
| | | | Zone 2 | \$51.66 | \$101.25 | \$49.59 |
| | | | Zone 3 | \$100.32 | \$101.25 | \$0.93 |
| | | | DS1 Loop, Per Loop | | | |
| | | | | \$87.37 | \$694.34 | \$606.97 |
| | | | DS3 Loop, Per Loop | | | |
| | | | | \$363.42 | \$3,196.49 | \$2,833.07 |
| Docket ADV 1578 | | | | | | |
| Section | Sheet | Revision | Basic Rate ISDN Loop (2-wire), per loop | | | |
| | | | | Current Monthly Rate | New Monthly Rate | Increase |
| 2 | | 3 4th | | | | |
| | | | Zone 1 | \$14.36 | \$65.73 | \$51.37 |
| | | | Zone 2 | \$25.83 | \$65.73 | \$39.90 |
| | | | Zone 3 | \$50.16 | \$65.73 | \$15.57 |

Docket No. ADV 1544 filing was submitted on October 24, 2023, with an effective date of January 2, 2024, and Docket No. ADV 1578 filing was submitted on December 5, 2023, with an effective date of February 8, 2024. Customers were notified of the change on October 31, 2023, for Docket No. ADV 1544 and on December 8, 2023, for Docket No. ADV 1578. While the FCC ruling eliminates the regulatory aspect, Staff notes that Zipty provided ample notice to customers and a delayed effective date that meets all requirements under any applicable regulation.

Conclusion

Staff finds that these filings should be allowed to go into effect due to a removal of regulation and Zipty providing sufficient notice.