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BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UM 873

In the Matter of Applications to be)
Designated Eligible Telecommunications) ORDER
Carriers in the State of Oregon.)

**DISPOSITION: ELIGIBLE RURAL TELECOMMUNICATIONS
CARRIERS DESIGNATED**

The federal Communications Act of 1934, as amended by the Telecommunications Act of 1996 (the Act), requires state commissions to designate a common carrier that meets certain requirements as an eligible telecommunications carrier for a service area. The requirements include offering services supported by the federal universal service support mechanisms and advertising the availability of those services in media of general distribution.

At the Commission's December 2, 1997, Public Meeting, we designated 34 rural and nonrural incumbent telecommunications service providers as eligible for federal Universal Service Fund (USF) support. Our decision was memorialized in Order No. 97-481.

On May 23, 2001, the Federal Communications Commission (FCC) released Order No. FCC 01-157. Among other things, the order requires states to file annual certifications with the FCC certifying that the use of federal universal service funds is consistent with Section 254(e) of the Act. In order for rural telecommunications carriers to continue to receive federal support after January 1, 2002, the FCC requires that state certifications be submitted to the FCC and the Universal Service Administrative Company by October 1, 2001.

In response to Staff requests, 32 Oregon rural telecommunications carriers filed signed and sworn affidavits attesting to the use of federal USF support in compliance with the FCC rule. We addressed the certification matter at our Public Meeting on September 11, 2001, and adopted Staff's recommendation to certify the responding telecommunications carriers. The Staff report, which includes a list of the 32 carriers, is attached to this order as Appendix A.

CONCLUSIONS

The 32 rural telecommunications carriers listed on Appendix A to this order are qualified for designation as telecommunications carriers eligible to receive federal universal service support.

ORDER

IT IS ORDERED that:

1. The rural telecommunications carriers listed on Appendix A to this order are designated as telecommunications carriers eligible to receive federal universal service support;
2. We certify that all federal high cost support (which includes high cost loop support, local switching support, high cost support received pursuant to the purchase of exchanges, high cost model support, and hold harmless support), will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with Section 254(e) of the Act; and
3. As required by the FCC, this certification refers to CC Docket No. 96-45.

Made, entered, and effective _____.

Roy Hemmingway
Chairman

Lee Beyer
Commissioner

Joan H. Smith
Commissioner

A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements of OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070. A party may appeal this order to a court pursuant to ORS 756.580.