

**This is an electronic copy. Format and font may vary from the official version.
Attachments may not appear.**

**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), delegates to state commissions authority to designate the telecommunications carriers who are eligible to receive federal Universal Service Fund (USF) support. To qualify, a carrier must meet certain requirements. 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 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, that 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 required that state certifications be submitted to the FCC and the Universal Service Administrative Company by October 1, 2002.

In compliance with the federal requirements, the Commission certified the eligibility of Oregon’s rural local exchange companies at public meetings in 2001 (Order No. 01-819) and 2002 (Order No. 02-605). This Order addresses eligibility certification for 2003.

In response to requests from the Commission staff (Staff), 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, 2003, 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 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; and
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.

Made, entered, and effective _____.

Lee Beyer
Chairman

John Savage
Commissioner

Ray Baum
Commissioner

ORDER NO. 03-551

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 in 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(2). A party may appeal this order to a court pursuant to ORS 756.580.