

ORDER NO. 04-004

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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 337(1), UM 337(2),
CP 265
CP 274
CP 512
CP 721

In the Matter of)
)
SHARED COMMUNICATIONS SERVICES, INC.) ORDER
)
Application for a Certificate of Authority to Provide)
Telecommunications Service in Oregon and)
Classification as a Competitive Provider.)

DISPOSITION: CERTIFICATES OF AUTHORITY CANCELED FOR:
ORDER NO. 96-157, DOCKETS UM 337(1) AND UM 337(2);
ORDER NO. 97-059, DOCKET CP 265;
ORDER NO. 97-142, DOCKET CP 274;
ORDER NO. 98-407, DOCKET CP 512; AND
ORDER NO. 99-699, DOCKET CP 721.

Introduction

From 1996 to 1999, the Commission granted Shared Communications Services, Inc., (SCS) authority to provide shared telecommunications service (STS) at ten locations in Oregon. The ten STS sites are listed in Appendix A to this order. See:

- Order No. 96-157, dockets UM 337(1) and UM 337(2), June 18, 1996;
- Order No. 97-059, docket CP 265, February 18, 1997;
- Order No. 97-142, docket CP 274, April 14, 1997;
- Order No. 98-407, docket CP 512, October 1, 1998; and
- Order No. 99-699, docket CP 721, November 15, 1999.

In other orders the Commission granted SCS authority to provide interexchange and intraexchange telecommunications service. By letter dated July 18, 2003, SCS requested that the Commission cancel its authority to provide STS at all ten sites. SCS

wishes to retain its authority to provide intraexchange and interexchange service throughout Oregon.

Background

In 2002, GE Business Productivity Solutions, Inc., (GEBPS) started a process to acquire the assets and customer base of Advanced TelCom, Inc., dba Advanced TelCom Group, (ATI) and ATI's subsidiary SCS as part of ATI/SCS bankruptcy proceedings.¹ The proposed acquisition included the STS locations listed in Appendix A. The proposed acquisition called for GEBPS to provide service in Oregon and for ATI and SCS to cease providing service. In anticipation of the asset transfer, GEBPS applied for a certificate of authority to provide telecommunications service in Oregon, which the Commission granted by Order No. 02-706, docket CP 1094.

Subsequently, in the bankruptcy proceeding, the companies agreed to stop providing STS in Oregon. Therefore, by the July 18, 2003, letter to Commission staff ATI and SCS requested cancellation of STS authority. In the same letter, GEBPS also requested cancellation of its authority to provide STS in Oregon. The Commission will cancel GEBPS's authority to provide STS by a separate order in docket CP 1094.

The companies contacted Verizon Northwest Inc., the incumbent local exchange carrier serving areas where the ten STS sites are located. Verizon was able to extend facilities and offer telecommunications service to all the sites by approximately October 24, 2003.

Other Certificates of Authority

SCS is a subsidiary of Advanced TelCom, Inc., dba Advanced TelCom Group (ATI). ATI is a subsidiary of Advanced TelCom Group, Inc., a holding company that provides no telecommunications service in Oregon.

SCS and its parent, ATI, have been granted several certificates of authority which are not affected by this order. To mitigate possible confusion, and to provide related background, we will discuss those certificates here. In the July 18, 2003, letter SCS and ATI were very clear that they wanted to retain their authority to provide intraexchange and interexchange service in Oregon.

Commission records show that ATI has authority to provide interexchange service statewide and to provide intraexchange service in all exchanges of Qwest Corporation, Verizon Northwest, CenturyTel of Oregon, CenturyTel of Eastern Oregon, United Telephone Company of the Northwest dba Sprint, and Beaver Creek Cooperative

¹ GEBPS, ATI, and SCS are affiliates. They are indirect subsidiaries of their ultimate corporate parent General Electric Company.

Telephone Company. *See* Order No. 98-521, docket CP 526, December 14, 1998.² ATI does not have authority to provide intraexchange service in any other exchanges, and does not have authority to provide STS. ATI's authority will not be affected by this order.

In addition to the STS certificates of authority listed above, SCS has authority to provide interexchange telecommunications service statewide, and to provide intraexchange service in all exchanges of Qwest Corporation, Verizon Northwest, CenturyTel of Oregon, CenturyTel of Eastern Oregon, and United Telephone Company of the Northwest dba Sprint. SCS does not have authority to provide intraexchange service in any other exchanges. *See*:

Order No. 91-166, docket UM 337, January 30, 1991;
Order No. 96-248, docket CP 163, September 23, 1996;
Order No. 96-340, docket CP 132, December 30, 1996;
Order No. 96-340, docket CP 149, December 30, 1996; and
Order No. 97-423, docket CP 351, November 3, 1997.

The authority granted by these four orders will not be affected by this order. SCS has authority to provide statewide interexchange service by Order No. 91-166. SCS also has the same authority granted by Order No. 96-157, dockets UM 337(1) and UM 337(2), which authority is redundant. Therefore, cancellation of Order No. 96-157 will not affect SCS's authority to provide interexchange service.

Conclusion

The authority of SCS to provide STS in Oregon should be canceled. The authority of SCS to provide other intraexchange and interexchange telecommunications service should be retained.

ORDER

IT IS ORDERED that:

1. The certificate of authority granted to Shared Communications Services, Inc., by Order No. 96-157, dockets UM 337(1) and UM 337(2), dated June 18, 1996, is canceled.
2. The certificate of authority granted to Shared Communications Services, Inc., by Order No. 97-059, docket CP 265, dated February 18, 1997, is canceled.
3. The certificate of authority granted to Shared Communications Services, Inc., by Order No. 97-142, docket CP 274, dated April 14, 1997, is canceled.

² Order No. 98-521 was granted to Advanced TelCom Group, Inc. By letter dated August 9, 2000, the company informed the Commission that it had changed its name to Advanced TelCom, Inc. dba Advanced TelCom Group.

4. The certificate of authority granted to Shared Communications Services, Inc., by Order No. 98-407, docket CP 512, dated October 1, 1998, is canceled.
5. The certificate of authority granted to Shared Communications Services, Inc., by Order No. 99-699, docket CP 721, dated November 15, 1999, is canceled.

Made, entered, and effective _____.

Lee Sparling
Director
Utility Program

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 applicable law.

APPENDIX A

UM 337(1), UM 337(2), CP 265,
CP 274, CP 512, CP 721

SHARED TELECOMMUNICATIONS SERVICE (STS) SITES

Note: The Commission granted certificates of authority to Shared Communications Services, Inc., to serve the following apartment complexes, as a shared telecommunications service provider, by the orders shown below. GEBPS was granted STS authority for the same sites by Order No. 02-706.

<u>Apartment Complex and Location</u>	<u>Order No., Docket, Date</u>
Centerpointe Apartments 15290 SW Millikan Blvd. Beaverton, Oregon	No. 96-157 UM 337(1) June 18, 1996
The Colonnades Apartments 2911 NW Overlook Dr. Hillsboro, Oregon	No. 96-157 UM 337(2) June 18, 1996
The Verandas at Hazel Grove 2882 NW Overlook Dr. Hillsboro, Oregon	No. 96-157 UM 337(2) June 18, 1996
Rock Creek Landing 3009 NW Overlook Dr. Hillsboro, Oregon	No. 96-157 UM 337(2) June 18, 1996
Murray North Townhouses (now LaSalle) 15035 Millikan Way Beaverton, Oregon	No. 97-059 CP 265 February 18, 1997
Murray North Garden Apartments (now LaSalle) 15021 Millikan Way Beaverton, Oregon	No. 97-059 CP 265 February 18, 1997

ORDER NO.

Apartment Complex and Location

Order No., Docket, Date

Tanasbourne IV (now Lionsgate)
2500 NW Overlook Dr.
Hillsboro, Oregon

No. 97-142
CP 274
April 14, 1997

Thorncroft Farms Apartments
2120 NW Thorncroft Dr.
Hillsboro, Oregon

No. 98-407
CP 512
October 1, 1998

Avalon Palladia
2615 NW 194th Terrace
Hillsboro, Oregon

No. 99-699
CP 721
November 15, 1999

Chinook Way
21989 NE Chinook Way
Fairview Village, Oregon

No. 99-699
CP 721
November 15, 1999