

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1083

In the Matter of)	
)	
RCC MINNESOTA, INC.)	ERRATA
)	ORDER
Application for Designation as an Eligible)	
Telecommunications Carrier, Pursuant to)	
the Telecommunications Act of 1996.)	

DISPOSITION: MOTION FOR ERRATA ORDER GRANTED

On December 6, 2005, RCC Minnesota, Inc. (RCC) filed a motion requesting the Commission issue an errata order to Order No. 04-355, correcting the list of wire centers in which it serves as a designated eligible telecommunications carrier (ETC). The erroneous list is attached as Appendix B to Order No. 04-355; the corrected list is attached to this order as Appendix A.¹ The motion was served on the parties that participated in UM 1083. Staff responded with additional corrections, which it indicated were agreed to by RCC. The motion is granted with Staff’s corrections.

Background

1. Order No. 04-355

On May 12, 2003, RCC filed an application seeking ETC designation in certain wire centers in Oregon. In Order No. 04-355, the Commission evaluated RCC’s application as it applied to areas served by rural and non-rural carriers. The Commission found that, for areas served by non-rural carriers, Qwest Corporation (Qwest) and Verizon Northwest, Inc. (Verizon),

RCC has shown that it provides the nine supported services and has pledged to advertise them throughout the area.

Because compliance with those requirements is ‘consistent *per se* with the public interest,’ RCC's application as to the

¹ Even more confusing, the list originally posted on the Commission’s web site as an Appendix to Order No. 04-355, was different than the list attached to the signed, original order. The two differences between those lists are (1) Stices Gulch was listed as covered on the web site, but not in the original; and (2) Oregon Slope was not listed on the web site, but is listed in the original. Because the original order prevails, Stices Gulch was not covered in Order No. 04-355, and Oregon Slope was covered. The original Appendix was substituted and posted on the web site concurrent with posting of this errata order.

wire centers served by Qwest and Verizon should be granted.

See Order No. 04-355 at 7 (citation omitted).

The Commission also evaluated the application as it related to areas served by rural carriers. *See* Order No. 04-355 at 7-13. In particular, the Commission considered whether the application covered part of the service area of an incumbent local exchange carrier (ILEC). *See id.* at 11. CenturyTel of Oregon, Inc., and CenturyTel of Eastern Oregon, Inc. (collectively, CenturyTel), and Sprint/United Telephone Co. of the Northwest (Sprint) were the only affected ILECs, and the Commission found that the application did not cream-skim the low cost exchanges from the ILECs' service areas. *See id.*

In the final conclusion, the Commission approved ETC designation for certain wire centers as described by a map and also by a list. *See* Order No. 04-355, App A (map), App B (list). The table in Appendix B to Order No. 04-355 identified the incumbent carrier, the wire center, and whether the wire center was partially or wholly covered by RCC's application. This information was critical to the cream-skimming analysis recommended by the Federal Communications Commission (FCC) orders on ETC designation. *See* Order No. 04-355 at 11-12.

2. RCC's Motion for an Errata Order

RCC now moves to amend this list. While the map correctly identifies the wire centers in which it sought designation, RCC states that the list contains errors. Some of the originally listed wire centers are not designated on the map, and fall outside the area that RCC serves. These wire centers include Ashland, Dallas, Florence, Grants Pass, Independence, Leaburg, Lowell, Madras, Mapleton, Oakridge, Salem, Veneta, Warm Springs, Woodburn, Aumsville/Turner, Coquille, Dayton, and Grand Island. Other listed wire centers were eliminated from RCC's initial application when RCC sold part of its service territory. That change was reflected on the map, but not on the final list of wire centers. The eliminated wire centers include Albany, Blue River, Corvallis, Eugene, Harrisburg, Junction City, Marcola, Newport, Siletz, Springfield, Toledo, Detroit, Mill City, and Silverton. Also, two wire centers were covered by the map, but not listed. The portion of the Walla Walla wire center in Oregon is a continuation of the wire center in Washington with that name; RCC is designated as an ETC in Washington in that wire center. Also, the Spring River wire center was included in Bend, but is actually a separate wire center. Finally, some of the names of the wire centers were not accurately set forth: Pilot Rock/Starkey is simply Pilot Rock; and Joseph/Imnaha is two separate wire centers.

In addition, Staff responded with additional corrections on January 23, 2006. Staff stated that it agreed with RCC's initial filing, but added that the study area code (SAC) for CenturyTel should be designated as 532361. Further, the spelling for the wire center Stanfield should be corrected from its current designation as "Standfield." Staff submitted a

further revised exhibit, including all of the corrections to the wire centers and carrier codes, attached as Appendix A to this order.

Analysis

RCC's motion was made under ORS 756.561, which allows a party to apply for rehearing or reconsideration if the application is made within 60 days of the service of the order. While this motion was made more than 60 days after the service of the order, the Commission retains the right to amend orders under ORS 756.568. Because the other parties were served with the motion and had notice, the Commission has the jurisdiction to amend the original order.

Since Order No. 04-355 was issued, the FCC has released *In the Matter of the Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Order No. 05-46, 20 FCC Rcd 6371 (Report and Order, rel Mar 17, 2005). In that Report, the FCC set forth additional guidelines regarding ETC designation, taking a position on some matters but declining to decide others. One new requirement specified by the FCC is the method for identifying wire centers in the future: the name of the ILEC study area covered, whether part or all of the wire center is to be covered by the ETC, and identification of the wire center by its Common Language Location Identification (CLLI) code. *See* FCC Order No. 05-46 at ¶ 65. Wire center boundaries closely mirror those of traditional wireline exchanges, but they are not always the exactly the same. By identifying wire centers by CLLI codes, the listing will be more precise. By adopting all of the amendments to Order No. 04-355 recommended by RCC and Staff, the list will be more in line with the new requirements set forth by the FCC.

The application was thoroughly evaluated in the original proceeding, and the Commission granted the application in accordance with state and federal law. The proposed amendments have no effect on the analysis or conclusions set forth in Order No. 04-355; the new table only identifies the covered wire centers and affected carriers, already designated by map, more clearly.

Conclusion

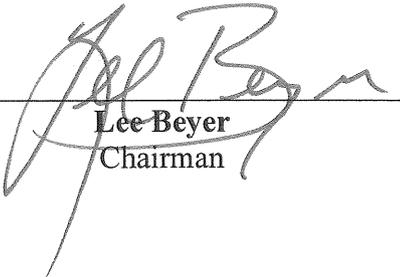
The new list provides better information for the actual wire centers for which RCC was designated as an ETC by the map attached as Appendix A to Order No. 04-355. The requested amendments are not substantive changes to the original order, because the wire centers were properly designated on the original map, but merely clarify the wire centers covered by RCC's designated ETC area by name and by CLLI code, as well as the proper SAC codes for the carriers. No objections were made, and Staff and RCC concurred in each other's corrections. The motion should be granted, along with Staff's additional corrections, and the corrected list, attached at Appendix A, should be adopted.

ORDER

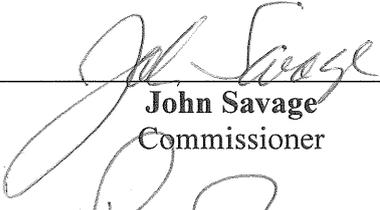
IT IS ORDERED that:

- 1. RCC Minnesota, Inc.'s motion to issue an errata order, amending Order No. 04-355, is granted;
- 2. The changes recommended by Staff are also adopted; and
- 3. The list of wire centers, designated as Appendix A to this order, will replace the table located in Order No. 04-355, Appendix B.

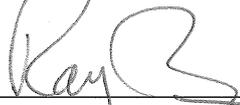
Made, entered, and effective FEB 08 2006.



Lee Beyer
 Chairman



John Savage
 Commissioner



Ray Baum
 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 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 by filing a petition for review with the Court of Appeals in compliance with ORS 183.480-183.484.

RCC Wire Centers - Corrected List for ETC Designation
UM 1083 Order No. 04-355

<u>I L E C Name</u>	<u>S A C</u>	<u>Wire Centers Listed in Order</u>	<u>CLLI</u>
Qwest Corporation	535163	Athena	ATHNOR
		Baker	BAKROR
		Bend	BENDOR
		Black Butte	BLBTOR
		Hermiston	HMTNOR
		Klamath Falls	KLFLOR
		La Pine	LAPIOR
		Milton Freewater	MLTNOR
		Pendleton	PNTNOR
		Prineville	PRVLOR
		Redmond	RDMDOR
		Sisters	SSTROR
		Spring River	SPRVOR
		Stanfield	STFDOR
		Umatilla	UMTLOR
Walla Walla - OR portion	WLWLWA		
Verizon NW	532416	Cove	COVEOR
		Elgin	ELGNOR
		Enterprise	ENTROR
		Imbler	IMBLOR
		Joseph	JSPHOR
		Imnaha	IMNHOR
		La Grande	LAGROR
		Lostine	LOSTOR
		Union	UNINOR
		Wallowa	WLLWOR
		CenturyTel of Eastern Oregon	532361
Bonanza	BNNZOR		
Burns	BRNSOR		
Chemult	CHMLOR		
Chiloquin	CHLQOR		
Durkee	DURKOR		
Echo	ECHOR		
Fort Klamath	FTKLOR		
Gilchrist	GLCHOR		
Harney	NHRCOR		
Huntington	HNTNOR		
John Day	JHDYOR		
Lakeview	LKVWOR		
Long Creek	LGCKOR		
Malin	MALNOR		
Merrill	MRRLOR		
Monument	MNMTOR		
North Powder	NPWROR		

		Paisley	PSLYOR
		Paulina	PALNOR
		Pilot Rock	PLRKOR
		Rocky Point	RCPNOR
		Seneca	SENCOR
		Silver Lake	SLLKOR
		Sprague River	SRRVOR
		Ukiah	UKIHOR
United Telephone	532400	Crater Lake	CRLKOR
Asotin Telephone	532404	Flora-Troy	FLTYOR
Eagle Telephone	532369	Richland	RCLDOR
Helix Telephone	532376	Helix Meacham	HELXOR MCHMOR
Malheur Home Tel.	532456	Nyssa Ontario Vale Oregon Slope	NYSSOR ONTROR VALEOR ORSLOR
Midvale Tel.	532226	Harper Juntura	HRPROR JNTROR
Oregon Telephone	532389	Bates Dayville Hereford-Unity Mount Vernon Prairie City	BATSOR DYVLOR HRFROR MTVROR PRCYOR
Pine Telephone	532392	Granite Halfway Oxbow	GRANOR HLWYOR OXBWOR