

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UA 126

In the Matter of)	
)	ORDER
THE PUBLIC UTILITY COMMISSION)	
OF OREGON)	
)	
Staff's reallocation of local exchange)	
telecommunications service territory for)	
Nehalem Telecommunications, Inc.)	

DISPOSITION: REALLOCATION APPROVED

The 2005 Legislature changed Oregon’s territory allocation law for telecommunications utilities and telecommunications cooperatives. The new law allocates local exchange telecommunications service territory as a geographic area within boundaries set forth in exchange maps filed with and approved by the Commission. This replaces the old “metes and bounds” descriptions. ORS 759.500(1).

Section 27, chapter 232, Oregon Laws 2005, directs the Commission to:

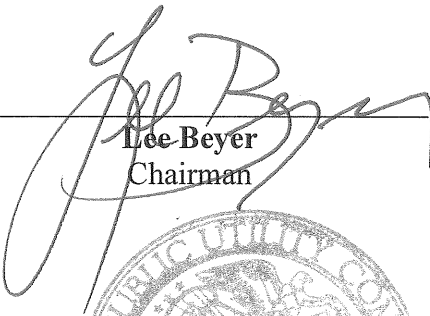
Reallocate every allocated local exchange telecommunications service territory to a telecommunications utility, cooperative corporation or municipality to whom the commission had previously allocated local exchange telecommunications service territory. Allocations granted by the commission pursuant to this subsection shall replace all allocations to telecommunications utilities, cooperative corporations or municipalities granted by the commission prior to January 1, 2006.

Staff recommends the reallocation of Nehalem Telecommunications, Inc.’s (Nehalem) local exchange telecommunications service territory using the boundaries of the exchange map filed with and approved by the Commission, as set forth in Table 1 of Appendix A, replacing all previous territory allocations for Nehalem.


ORDER

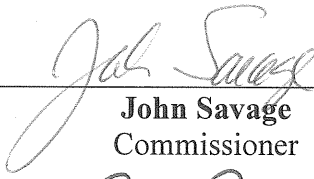
IT IS ORDERED that Nehalem Telecommunications, Inc.'s local exchange telecommunications service territory is reallocated using the boundaries of the exchange map filed with and approved by the Commission as set forth in Table 1 contained in Appendix A, replacing all previous territory allocations for Nehalem Telecommunications, Inc.

Made, entered, and effective JAN 16 2008.




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.

PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: January 8, 2008

REGULAR _____ CONSENT X EFFECTIVE DATE _____ N/A

DATE: December 18, 2007

TO: Public Utility Commission

FROM: Marlene Gorsuch *meo*

THROUGH: *in* Lee Sparling, Dave Booth and Kay Marinos *KM*

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: Reallocation of local exchange telecommunications service territory for Nehalem Telecommunications, Inc.

STAFF RECOMMENDATION:

Reallocate Nehalem Telecommunications, Inc.'s local exchange telecommunications service territory using the boundaries of the exchange map filed with and approved by the Commission as set forth in Table 1. This reallocation replaces all previous territory allocations for Nehalem Telecommunications, Inc. (Nehalem).

DISCUSSION:

The 2005 Legislature changed Oregon's territory allocation law for telecommunications utilities and telecommunications cooperatives. The new law allocates local exchange telecommunications service territory (service territory) as a geographic area within boundaries set forth in exchange maps filed with and approved by the Commission. This replaces the old "metes and bounds" descriptions. See ORS 759.500(1).

Section 27, chapter 232, Oregon Laws 2005, subsection (1) directs the Commission to: "Reallocate every allocated local exchange telecommunications service territory to a telecommunications utility, cooperative corporation or municipality to whom the Commission had previously allocated local exchange telecommunications service territory. Allocations granted by the commission pursuant to this subsection shall replace all allocations to telecommunications utilities, cooperative corporations or municipalities granted by the commission prior to January 1, 2006."

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The Commission previously allocated local exchange telecommunications service territory to Nehalem in an order issued in 1988. Staff reviewed the Commission's records to identify all Nehalem territory allocation orders issued prior to January 1, 2006, and currently in effect.

Nehalem has a Commission-approved map on file for the company's local exchange, Nehalem. Staff concluded that Nehalem's map is wholly or partially within the metes and bounds description in the company's previous territory allocation order.

On August 30, 2007, Staff sent Nehalem a letter describing staff's conclusions in detail, and asking Nehalem to make corrections, if any, by September 20, 2007. Nehalem confirmed Staff's basic conclusion regarding the relationship between the previous territory allocation order and the approved local exchange map.

Table 1 describes reallocation for Nehalem in detail. Reallocations are identified by exchange name and the effective date of the corresponding Commission-approved exchange map. Previous allocation is identified by Commission order number.

TABLE 1

Exchange Name	Reallocation Approved Exchange Map (Effective Date)	Previous Allocation (Commission Order)
Nehalem	January 2, 2004	Order No. 88-405

PROPOSED COMMISSION MOTION:

Nehalem Telecommunication, Inc.'s local exchange telecommunications service territory be reallocated using the boundaries of the exchange map filed with and approved by the Commission as set forth in Table 1, replacing all previous territory allocations for Nehalem Telecommunications, Inc.

Nehalem Reallocation Memo