BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UA 151

In the Matter of PUBLIC UTILITY COMMISSION OF OREGON Staff's reallocation of local exchange telecommunication service territory for MIDVALE TELEPHONE EXCHANGE, INC.	ORDER

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. See ORS 759.500(1).

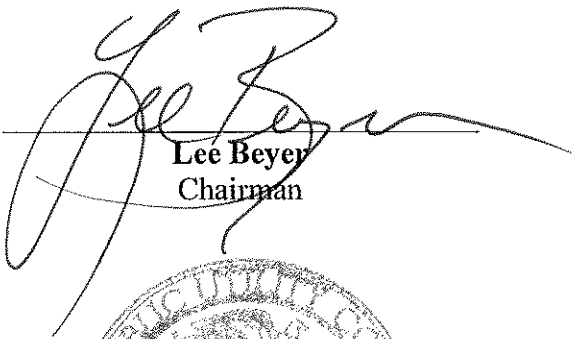   Section 27, chapter 232, Oregon Laws 2005, directs the Commission to:

> 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.

   At the September 22, 2009, Commission Public Meeting Staff recommended the reallocation of Midvale Telephone Exchange, Inc.'s (Midvale) local exchange telecommunications service territory using the boundaries of the exchange maps filed with and approved by the Commission, as set forth in Table 1 of Appendix A, replacing all previous territory allocations for Midvale.
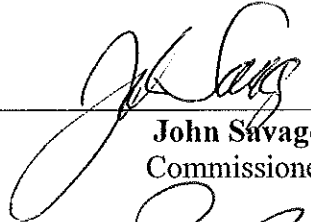
ORDER

IT IS ORDERED that Midvale Telephone Exchange, Inc.'s local exchange telecommunications service territory is reallocated using the boundaries of the exchange maps filed with and approved by the Commission as set forth in Table 1 contained in Appendix A, replacing all previous territory allocations for Midvale Telephone Exchange, Inc.
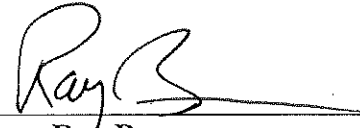
Made, entered, and effective _____ OCT 0 5 2009 _____.

_____
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: September 22, 2009

REGULAR _____ CONSENT _X_ EFFECTIVE DATE _____N/A_____

DATE: September 8, 2009

TO: Public Utility Commission

FROM: Marlene Gorsuch

THROUGH: Lee Sparling, Bryan Conway and Kay Marinos

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: (Docket UA 151)
Reallocation of local exchange telecommunications service territory for
Midvale Telephone Exchange, Inc.

STAFF RECOMMENDATION:

The Commission should reallocate Midvale Telephone Exchange, Inc.'s local exchange
telecommunications service territory using the boundaries of the exchange maps filed
with and approved by the Commission as set forth in Table 1. This reallocation
replaces all previous territory allocations for Midvale Telephone Exchange, Inc.
(Midvale).

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 on exchange maps filed with and approved by the Commission.
See ORS 759.500(1). This replaces the old "metes and bounds" descriptions frequently
used by the Commission to identify the geographic boundaries of local telephone
exchanges.

The new law, Section 27, chapter 232, Oregon Laws 2005, provides, in part, that the
Commission shall:

> (1) 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

Midvale Telephone Reallocation
September 1, 2009
Page 2

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.

(2) Upon request, allocate every local exchange telecommunications service territory that is shown on a map approved by the Commission that is unallocated as of December 31, 2005, to the telecommunications utility, cooperative corporation or municipality that filed the map.

Midvale has Commission-approved maps on file for both of the Company's local exchanges. According to Commission records, both of Midvale's previously allocated service territories are described in Commission Order No. 86-1238.

On August 6, 2009, Staff sent Midvale an email describing Staff's conclusions in detail, and asking Midvale to make corrections, if any, by August 20, 2009. Midvale confirmed Staff's basic conclusion regarding the relationship between the previous territory allocations and the approved local exchange maps on file at the Commission.

Table 1 describes reallocation for Midvale in detail. Reallocations are identified by exchange names and the effective dates of the most recent corresponding Commission-approved exchange maps.

TABLE 1

Reallocation		Previous Allocation (Commission Order)
Exchange Name	Approved Exchange Map (Effective Date)	
Harper	November 22, 1986	Order No. 86-1238
Juntura	October 20, 1986	Order No. 86-1238

PROPOSED COMMISSION MOTION:

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

Midvale Reallocation Memo