

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 940

In the Matter of the Imposition of Annual
Regulatory Fees Upon
Telecommunications Utilities and
Competitive Telecommunications
Providers Operating Within the State of
Oregon.

ORDER

DISPOSITION: FEE LEVEL SET FOR CALENDAR YEAR 2011

In accordance with ORS 756.310, it is hereby determined that it is necessary to impose a fee on telecommunications utilities and competitive telecommunications providers of fifteen hundredths of one percent (0.15 percent) of gross retail intrastate revenue during the Calendar Year 2011 in Oregon. These fees are deemed necessary to defray the cost of performing duties imposed by law upon the Public Utility Commission of Oregon (Commission). The fees, as imposed by this order on Calendar Year 2011, are due on or before April 1, 2012.

At its Public Meeting on October 26, 2010, the Commission adopted Staff's recommendation to impose a fee on telecommunications utilities and competitive telecommunications providers of fifteen hundredths of one percent (0.15 percent). Staff's recommendation report is attached as Appendix A and is incorporated by reference.

ORDER

IT IS ORDERED that telecommunications utilities and competitive telecommunications providers operating in Oregon must pay, to the Public Utility Commission of Oregon, a fee of fifteen hundredths of one percent (0.15 percent) of gross retail intrastate revenues during the Calendar Year 2011 in Oregon. In no case shall such fee be less than \$100. Each telecommunications utility and competitive telecommunications provider must pay the fee on or before April 1, 2012.

Made, entered, and effective OCT 27 2010.

BY THE COMMISSION:



Becky L. Beier

Becky L. Beier
Commission Secretary

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.


ITEM NO. CA3

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: October 26, 2010**

REGULAR _____ CONSENT X EFFECTIVE DATE November 1, 2010

DATE: October 12, 2010

TO: Public Utility Commission

FROM: Suzanne Smith 

THROUGH: Lee Sparling , Rick Willis , Vikie Bailey-Goggins , Bryan Conway , and Roger White 

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: (Docket No. UM 940)
Establishes the gross revenue fee level for telecommunications providers for 2011.

STAFF RECOMMENDATION:

By November 1, 2010, issue an order to set 0.15 percent as the percentage rate for the annual PUC fees due from telecommunications providers on April 1, 2012, in accordance with ORS 756.310.

DISCUSSION:

ORS 756.310(6) requires each telecommunications provider¹ to pay up to 25 hundredths of one percent (0.25 percent) of its gross retail intrastate Oregon revenue or \$100, whichever is more, to the Commission. The Commission opened Docket No. UM 940 in 1999 to set the annual fee levels for telecommunications providers, and the annual rates have been set at the statutory maximum of 0.25 percent. The 2010 PUC rate for telecommunications providers was decreased in the last half of 2010 to .08 percent in an effort to lower the cash balance to a four (4) month reserve.

The Commission collected \$2.4 million in annual fees from telecommunications providers in 2008 and \$2.25 million in 2009. Estimated annual fees for 2010 (with

¹ Telecommunications provider means "a telecommunications utility or a competitive telecommunications provider as defined in ORS 759.005" (ORS 756.310(8)(c)). This definition excludes radio common carriers and telecommunications cooperatives with certificates issued only under ORS 759.025.

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October 12, 2010
Page 2

payment due April 1, 2011) are \$1.27 million. This drop in revenue is due to the reduction in rates, applicable to revenues collected in the second half of 2010, combined with continued line losses. Staff is forecasting the decline in gross retail intrastate Oregon revenues to continue due to continuing line losses. Now that the balances are approaching the target reserve level, the Commission should increase the annual assessment rate to 0.15 percent. I estimate this assessment rate will provide annual fees of \$1.3 million from telecommunications providers for 2011.

The Commission must issue an order to establish the percentage rate for the annual fee "not less than 60 days prior to the calendar year upon which the fee is based" (ORS 756.310(6)(a)). For revenues recorded during 2011, this provision means the fee level order must be issued by November 1, 2010.

Attached is a draft order for the Commission's consideration. It is based on the previous fee level orders for revenues recorded by telecommunications providers during 2001 through 2010 (for example, Order 09-397).

PROPOSED COMMISSION MOTION:

The annual gross revenue fee for telecommunications providers be set at the level of 0.15 percent for calendar year 2011.

Attachment

UM940 PM Establish 2011 Telecom Annual Fee Rate.doc

ORDER NO.

DRAFT

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Made, entered, and effective _____.

Ray Baum
Chairman

John Savage
Commissioner

Susan K. Ackerman
Commissioner

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