

ORDER NO. 12 092

ENTERED MAR 13 2012

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1585

In the Matter of

OREGON CUSTOMER ACCESS PLAN

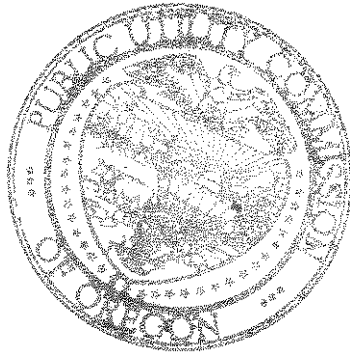
Oregon Exchange Carrier Association
Request for Waiver.

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its Public Meeting on March 13, 2012, the Public Utility Commission of Oregon adopted Staff's recommendation in this matter, attached as Appendix A.

BY THE COMMISSION:



Becky L. Beier

Becky L. Beier
Commission Secretary

A party may request rehearing or reconsideration of this order under 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 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.

ITEM NO. 3

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: March 13, 2012**

REGULAR X CONSENT _____ EFFECTIVE DATE _____ N/A _____

DATE: March 6, 2012

TO: Public Utility Commission

FROM: Suzanne Smith *SS*

THROUGH: Bryan Conway *BC* and Roger White *RW*

SUBJECT: OREGON EXCHANGE CARRIER ASSOCIATION: (Docket No. UM 1585) Request to extend the deadline for the 2012 tariff filing in Part VII.B of the 2003 Oregon Customer Access Plan (OCAP) to on or before May 15, 2012.

STAFF RECOMMENDATION:

Staff recommends that the Commission allow the Oregon Exchange Carrier Association (OECA) to extend the OCAP 2012 tariff filing deadline to on or before May 15, 2012.

DISCUSSION:

On February 28, 2012, OECA filed a request to extend the deadline for filing the 2012 tariff rates as required by Part VII.B of the OCAP from March 15, 2012, to on or before May 15, 2012.

In docket UM 384, the Commission issued Order No. 93-1133, which adopted the 1994 OCAP. Then, the Commission issued Order No. 03-294 adopting an amended OCAP as directed by Order No. 03-082 in docket UM 1017.¹ Part VII.B of UM 384 specifically addresses the optional pooling and filing requirements and states:

¹ In this docket, the Commission expanded the Oregon Universal Service Fund (OUSF) to include disbursements to rural Incumbent Local Exchange Carriers (ILECs).

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“For those ILECs participating in the OECA Pools annual filings are required. The filings should be made not later than March 15. The OPUC, insofar as possible, will act upon the filings so that the approved rates will be effective by July 1.”

In its request for the extension, OECA offers two reasons for its request. The first reason is that OUSF support levels are currently being reviewed by Staff in Docket No. UM 1017(3).² This review incorporates data submitted by the OECA participating companies in the most current Form I and Form O. With the 2012 review, it is highly likely that changes to the OUSF support levels will occur and those changes need to be reflected in the OECA annual filing as offsets to intrastate access charges. Until this review is complete, it is difficult for OECA to file accurate pool rates.

The second reason is the effect of the Federal Communications Commission's (FCC) recent Order No. 11-161. The Order requires companies to file to move their intrastate terminating switched access rates to one-half of the difference between the existing rate and their interstate rates, where the interstate rates are lower. As the methods for calculating this shift are still under development and unknown by the companies, preparation of a tariff to be filed by March 15, 2012, would be virtually impossible.

Staff does not have an objection to the extension of the filing date to on or before May 15, 2012. The extension would apply to the 2012 filing only. OECA sought and was given an extension to the pool participation notice deadline from March 1 to June 1 by the Commission in an earlier filing. This extension will not affect the July 1 effective date for the filing.

PROPOSED COMMISSION MOTION:

The request to allow the Oregon Exchange Carrier Association (OECA) to extend the OCAP 2012 tariff filing deadline to on or before May 15, 2012, be approved.

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² Staff is currently conducting its triennial review of per line support amounts as required under Order No. 03-082. For the past two reviews in 2006 and 2009, Staff and OECA agreed to keep the support amounts fixed; however, preliminary estimates indicate that it is very likely that changes to the per line support levels will occur with this review.