

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UCR 177

B. A.¹,

Complainant,

vs.

VERIZON WIRELESS SERVICES, LLC
and VERIZON WIRELESS (VAW), LLC,

Defendant.

ORDER



DISPOSITION: COMPLAINT DENIED FOR LACK OF JURISDICTION

On February 24, 2016, B. A. filed a complaint against Verizon Wireless Services, LLC, and Verizon Wireless (VAW), LLC, (collectively Verizon Wireless). Complainant challenges late payment fees charged by Verizon Wireless.

On our own motion, we deny the complaint for lack of jurisdiction. This agency has the authority to regulate telecommunication services within Oregon.² The statutes providing us that authority, however, explicitly exclude from our oversight services provided by radio common carrier,³ which include cellular communications services.⁴

Accordingly, we have no jurisdiction over the cellular services provided by Verizon Wireless. The complaint must be denied.⁵

¹ The posting of this consumer complaint order represents a policy change intended to increase the precedential value of such decisions. In such cases, the Commission will use complainants' initials to protect their privacy.

² ORS 759.036.

³ ORS 759.005(8)(a).

⁴ ORS 759.005(5).

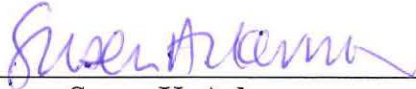
⁵ In his complaint, B. A. notes that he sent the Commission's Consumer Services Division a letter about this matter on February 3, 2016, and complains that he had not yet received a response as of February 24, 2016. Our records show that the Consumer Services Division received his letter on February 5 and sent an inquiry to Verizon Wireless on February 8. After obtaining additional information from Verizon Wireless, the Consumer Services Section left a voice mail message with B. A. on February 17, then sent him a letter on February 23 stating that the Commission lacked jurisdiction and recommending that he contact the Consumer Protection Division of the Oregon Department of Justice.

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ORDER

IT IS ORDERED that the complaint filed by B.A. against Verizon Wireless Services, LLC, and Verizon Wireless (VAW), LLC is denied, and that the docket is closed.

Made, entered, and effective FEB 26 2016.



Susan K. Ackerman
Chair



John Savage
Commissioner



Stephen M. Bloom
Commissioner

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.