

ORDER NO. **18 229**

ENTERED **JUN 19 2018**

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

CP 1539

In the Matter of

AT&T CORP,

Petition for Waiver of Notice Requirement of
OAR 860-032-0020(11).

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its public meeting on June 19, 2018, the Public Utility Commission of Oregon adopted Staff's recommendation in this matter. The Staff Report with the recommendation is attached as Appendix A.

BY THE COMMISSION:




Michael Dougherty
Chief Operating Officer

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 Circuit Court for Marion County in compliance with ORS 183.484.

PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: June 19, 2018

REGULAR _____ CONSENT X EFFECTIVE DATE _____ N/A

DATE: June 7, 2018

TO: Public Utility Commission

FROM: Kathy Shepherd (K)

THROUGH: Jason Eisdorfer, Bryan Conway, and Kay Marinos

SUBJECT: AT&T CORP: (Docket No. CP 1539) Petition for Waiver of Notice
Requirement of OAR 860-032-0020(11).

STAFF RECOMMENDATION:

The Commission should grant the petition by AT&T Corp (AT&T) seeking waiver of the 90-day time period for customer and Commission notification of abandonment of service under OAR 860-032-0020(11), and permit a notice period of approximately 45 days.

DISCUSSION:

AT&T is a competitive telecommunications provider certificated to provide interexchange and intraexchange services in Oregon. See Docket No. CP 1539, Order No. 12-393.

On May 18, 2018, AT&T filed notice with the Commission that AT&T will be discontinuing Lucky Dog Phone Co. (Lucky Dog) 10-10-345 domestic long-distance dialing services effective June 29, 2018. Oregon customers will be able to use the traditional AT&T domestic dial around service 10-10-288.

OAR 860-032-0020(11) governs abandonment of service by competitive telecommunications service providers. This rule requires the provider to give 90 days' notice to both the affected customers and the Commission prior to the abandonment of service. Petitioners request a waiver of the rule requiring 90 days' notice.

In its Notice of Discontinuance, AT&T states that the discontinuance of Lucky Dog 10-10-345 service is due to the billing service vendor, Business Services Group, terminating its contract for billing services with AT&T effective June 29, 2018. As AT&T

AT&T Corp Petition for Waiver
June 7, 2018
Page 2

is discontinuing this service nationwide, it must comply with FCC and other state notification requirements, most of which require only 30 days' notice. The Lucky Dog service has declined in popularity over the years due to the growth of other communication methods, include mobile phones, text messaging, email, and other social media applications. There were only 11 total related calls completed in Oregon in the past six months. Customers were notified of the discontinuance in a mass mailing on May 14, 2018. AT&T notified the Commission on May 18, 2018, approximately 45 days prior to the planned discontinuance. Therefore, AT&T filed a request for waiver of OAR 860-032-0020(11), specifically the 90-day notification period for customers and the Commission. OAR 860-032-0020(16) allows the Commission to grant a request to waive any time period or requirement of the rules for good and sufficient reason.

AT&T believes the public interest will not be harmed by granting the waiver and allowing approximately 45 days for customer and Commission notice. Staff agrees in this case based on the small number of Oregon customers affected, the many other options available to customers, and the lack of an alternative billing solution which AT&T could put in place prior to the discontinuance date. AT&T believes that the impact on customers is minimal.

PROPOSED COMMISSION MOTION:

Grant AT&T Corp's request for waiver of the 90-day notice period for customer and Commission notification of abandonment of service under OAR 860-032-0020(11), and permit a notice period of approximately 45 days.

CA3-AT&T Corp 90-Day Notice Waiver