

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 2398

In the Matter of

ZIPLY FIBER NORTHWEST, LLC and
ZIPLY FIBER OF OREGON, LLC,

Service Quality Performance Plan.

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED AS MODIFIED

This order memorializes our decision, made and effective at our September 3, 2026 Regular Public Meeting, to adopt Staff's recommendation in this matter as modified. We adopt Staff's recommendation to: extend the plan another six months starting on June 1, 2026, ending November 30, 2026; order the company to submit the final results from the plan to the Commission no later than January 15, 2027; and direct the company to file the final results of the first performance plan within the next 30 days, with each filing using Lumen's filing in docket UM 2399 as a template. The Staff Report with the recommendation is attached as Appendix A.

Made, entered, and effective Sep 03 2026.



Letha Tawney
Chair



Les Perkins
Commissioner



Karin Power
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 Circuit Court for Marion County in compliance with ORS 183.484.

ITEM NO. RA2

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: September 3, 2026**

REGULAR X **CONSENT** **EFFECTIVE DATE** September 4, 2026

DATE: August 26, 2026

TO: Public Utility Commission

FROM: Joseph Bartholomew

THROUGH: Nolan Moser and Russell Beitzel **SIGNED**

SUBJECT: ZIPLY FIBER:
(Docket No. UM 2398)
Ziply Fiber Service Quality Performance Plan Results.

STAFF RECOMMENDATION:

Staff recommends that the Oregon Public Utility Commission (Commission) extend the review period for the previously approved Performance Plan (Plan) of Ziply Fiber (Ziply or Company) for an additional six months starting June 1, 2026, and file a complaint for violation of Commission Order No. 25-371.

DISCUSSION:

Issue

Whether the Commission should extend Ziply's Plan for an additional six months and file a complaint for violation of Commission Order No. 25-371.

Applicable Rule or Law

A telecommunications utility is obligated to afford safe and adequate services. Under ORS 759.506(1), a telecommunications utility with allocated territory is obligated to "[p]rovide adequate and safe service to the customers of this state."

The Commission establishes minimum service quality standards to ensure safe and adequate services for all telecommunications carriers pursuant to ORS 759.450. Section (5) of this statute requires the Commission to direct a telecommunications carrier that is not meeting minimum service quality standards to submit a plan for

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improving performance to meet the standards. OAR 860-034-0390 provides the statutorily required service quality standards for small telecommunications utilities.

OAR 860-032-0012(6)(A)(b) states the Objective Service Level: A competitive telecommunications provider must, over a monthly period, clear at least 90 percent of all trouble reports within 48 hours of receiving a report for each repair center or designated service area.

In Order No. 25-215, the Commission required Ziply by to submit a service quality performance plan to meet the minimum service quality standards, which was approved in Order No. 25-371.

ORS 759.990(6) states:

A telecommunications carrier, as defined in ORS 759.400 (Definitions for ORS 759.400 to 759.455), shall forfeit a sum of not less than \$100 nor more than \$50,000 for each time that the carrier:

- (a) Violates any statute administered by the Public Utility Commission;
- (b) Commits any prohibited act, or fails to perform any duty enjoined upon the carrier by the commission;
- (c) Fails to obey any lawful requirement or order made by the commission;
or
- (d) Fails to obey any judgment made by any court upon the application of the commission.

Analysis

Background

At the September 16, 2025 Public Meeting, the Commission approved Ziply's Plan in UM 2398, Order No. 25-371 (Order).¹ During the Public Meeting, Ziply informed the Commission that part of the reason their 48-hour clear time metric is failing is due to customers requesting a later than 48-hour repair time from the Company. The Company also explained its plans to implement a four-step approach—Ticketing Assignments, System Modifications, Access Lines by Wire Center, and Root Cause Analysis and Remediation—to achieve compliance with the 48-hour repair clearing time and trouble tickets per 100 customers standard.

¹ [State of Oregon: Public Utility Commission of Oregon](#), Order No. 25-371.

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In its Order, the Commission directed Staff of the Oregon Public Utility Commission (Staff) to “work with the company on options to address or account for a customer's request for a later appointment time to ensure that customer service remains central.”

On August 12, 2025, Staff met with the Company as required per the Order and discussed the best method to implement the four-step approach outlined above with the goal of meeting the Company's Service Quality Performance Metrics as outlined in the Plan.

Staff and the Company met again on October 9, 2025, to discuss options that the Company may have to facilitate customer selection of service appointments while avoiding negative impacts to the Company's 48-hour repair time metric. Staff and the Company discussed options to include an express designation on customer tickets, which notes a customer requested longer than 48-hour repair time to facilitate exclusion of the ticket from 48-hour repair time metric. Staff also requested that those tickets still be tracked and reported in a separate category called “Customer requested later than 48-hour repair time.” Additionally, Staff asked the Company to develop a script to ensure customers are informed of the 48-hour clearing timeline and ability to request a later appointment. The Company agreed that this would be a great option for both the Company and the customers and would respond to Staff with their findings after discussions with its IT department.

On February 10, 2026, Staff met with Ziply regarding the outcome of their conversation with their IT team as well as the script the customer service representatives would read to the customers requesting a longer than 48-hour repair time. The Company informed Staff that they were successful in coding the tickets and are able to pull them out of the 48-hour repair metric. Staff asked when this was implemented, but the Company was not able to give Staff a date, only that it has been working since they discussed it with their IT team after our October 9, 2025, meeting. The Company also shared the script that gave the customer service representatives options on what to say. Staff reviewed the script and found it reasonable.

On March 25, 2026, Staff submitted an information filing to the Public Meeting updating the Commission regarding the meetings held between Staff, DOJ, and the Company as directed in the Order.

Update on Order Service Quality Metrics for the Period of the Plan

As of September 3, 2026, the Company has yet to file its compliance filing with the Commission with their updated Service Quality Metrics as directed per the Order. The company was to update the Commission no later than May 15, 2026, as outlined in Staff's Proposed Commission Motion in UM 2398 and approved by the Commission in

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the Order. The following metrics are from Staff's analysis of the Company's monthly Service Quality Reports that they provide. The metrics are not based on the Company's final results from the Plan as they have yet to submit it. These metrics may or may not include customers requesting longer than 48-hour repair times as the Company has not provided that information separately as requested during Staff and the Company's meeting held on October 9, 2025:

48-Hour Repair Clearing Time

Zipty Fiber Northwest 48-Hour Repair October 1-March 31 (Plan Term)							
	Oct-25	Nov-25	Dec-25	Jan-26	Feb-26	Mar-26	Average
Statewide	67%	81%	80%	83%	90%	96%	83%
Zipty Fiber Of Oregon 48-Hour Repair October 1-March 31 (Plan Term)							
	Oct-25	Nov-25	Dec-25	Jan-26	Feb-26	Mar-26	Average
Statewide	100%	94%	72%	33%	82%	100%	80%
Zipty Fiber (Both Companies) 48-Hour Repair October 1-March 31 (Plan Term)							
	Oct-25	Nov-25	Dec-25	Jan-26	Feb-26	Mar-26	Average
Statewide	84%	87%	76%	58%	86%	98%	82%

The standard for this metric is 90 percent of all trouble tickets received are repaired within 48 hours (with weekend and holiday exceptions) from the time the customer opens the ticket with the Company. Prior to the Performance Plan, Zipty Fiber Northwest was averaging approximately 72 percent of all tickets received were repaired within 48 hours. As shown above, this metric has improved by 11 percentage points since the implementation of the Plan. Zipty Fiber of Oregon was averaging 51 percent of all tickets received being repaired within 48 hours and is now at 80 percent, a 29 percentage point increase since Plan implementation. The Company as a whole, pre-Plan, was averaging approximately 62 percent repair time and now averages approximately 82 percent, which is a significant 20 percentage point increase since Plan implementation.

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Trouble Tickets per 100 Access Lines

Ziply Fiber Northwest Trouble Ticket per 100 Customers October 1-March 31 (Plan Term)							
	Oct-25	Nov-25	Dec-25	Jan-26	Feb-26	Mar-26	Average
Statewide	1.37	0.64	0.96	1.33	1.09	0.90	1.05

Ziply Fiber Of Oregon Trouble Ticket per 100 Customers October 1-March 31 (Plan Term)							
	Oct-25	Nov-25	Dec-25	Jan-26	Feb-26	Mar-26	Average
Statewide	0.08	0.66	2.11	3.85	0.84	1.33	1.48

Ziply Fiber (Both Companies) Trouble Ticket per 100 Customers October 1-March 31 (Plan Term)							
	Oct-25	Nov-25	Dec-25	Jan-26	Feb-26	Mar-26	Average
Statewide	0.73	0.65	1.54	2.59	0.97	1.12	1.27

In this metric, the Company must have 2 trouble tickets or less per 100 access lines (access lines or Customers) for wire centers with more than 1000 access lines, and 3 trouble tickets or less per 100 Customers for wire centers with less than 1000 access lines. Pre-Plan, Ziply Fiber Northwest averaged approximately .53 trouble tickets per 100 access lines and now averages approximately 1.05 tickets, which represents an increase of .52 tickets per month. Ziply Fiber of Oregon was averaging approximately 1.06 tickets per 100 and now is averaging 1.48, a .42 ticket increase per 100 access lines. As a whole, the Company was averaging .80 pre-Plan and now is averaging 1.27, which represents an approximate increase of .47 trouble tickets per 100 access lines. Although the Company's trouble tickets per 100 customers have increased, they are still within the required metric are in compliance with this metric.

The Company currently only has 2 wire centers with more that 1000 access lines and both are meeting or exceeding the standard of 2 tickets per 100 access lines.

Staff would like to point out that the Company has two wire centers, in Azalea, OR and Cave Junction, OR, where approximately 21 percent of all customers in these two wire centers reported a trouble ticket for the month of January 2026. The Company also reported that 10 percent of Wolf Creek, OR customers opened a trouble ticket for January 2026, and approximately 5 percent of all customers opened a trouble ticket out of the Glendale, OR wire center for the month of January 2026. The Company also reported that approximately 9 percent of customers opened a trouble ticket out of

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Obrian, OR in December 2025. These wire centers each have less than 300 access lines but, nevertheless, the metrics reported for this service quality standard are not acceptable per the standard in OAR 860-034-0390(5)(b). Staff believes the Company could remedy the issues with these wire centers with minimal cable plant maintenance at a minimal cost to the Company.

Cause for Penalties

In Order No. 25-371, the Commission approved Staff's Proposed Commission Motion which required the Company to report its results from the Plan no later than May 15, 2026. To date, the Company has yet to report its results.

On March 18, 2026, the Company emailed Staff asking if Staff needed anything else from the Company regarding UM 2398 to which Staff replied nothing more is need at this time and a compliance filing will be due in May which will provide more information at that time for the final results of the Plan.

On June 15, 2026, Staff emailed the Company reminding them that the compliance filing for the final results of the performance plan period was due May 15, 2026, and the Company has yet to provide the filing. The Company responded that they will provide results as soon as possible.

This response provided by the Company on June 15, 2026, was the last correspondence Staff received from the Company regarding the required compliance filing ordered by the Commission, and they have yet to upload any such filing to the docket. Staff reminded the Company prior to the May 15, 2026, deadline and also reached out to the Company after the deadline reminding the Company that they still have not completed the compliance filing. Due to this non-compliance, Staff recommends the Commission direct it to work with DOJ to file a complaint for violation of the Commission's order.

Conclusion

Staff will continue to monitor Ziply's Service Quality Reports for improvements and work with the Company on additional implementation that may help improve service quality if ordered by the Commission as required by the Plan. Staff also finds appropriate cause to pursue penalties given the non-compliance with a Commission Order.

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PROPOSED COMMISSION MOTION:

Adopt Staff's recommendation to extend the Plan another six months starting on June 1, 2026, ending November 30, 2026; order the Company to submit the final results from the Plan to the Commission no later than January 15, 2026; and file a complaint for violation of Commission Order No. 25-371.

RA2 - Zply Fiber Performance Plan Results