

ORDER NO. 00-177

ENTERED March 29, 2000

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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

AR 371

In the Matter of a Petition to Adopt a Rule)	
Allowing a Fresh Look Period for Eligible)	ORDER
Contracts with Incumbent Local Exchange)	
Carriers.)	

DISPOSITION: PETITION DENIED; DOCKET CLOSED

On September 27, 1999, Advanced Telecommunications, Inc.; Advanced TelCom Group, Inc.; Electric Lightwave, Inc.; GST Telecom Oregon, Inc.; McLeodUSA Incorporated; and NEXTLINK Oregon, Inc., (Joint Petitioners) filed with the Commission a Petition to adopt a rule allowing a "fresh look" period for eligible contracts with incumbent local exchange carriers. Subsequently, on October 13, 1999; November 5, 1999; December 1, 1999; January 5, 2000; and February 2, 2000, Joint Petitioners requested that the Commission pull the item from consideration at the regular Public Meeting. In the Joint Petitioners' letter of February 2, they asked that the filing date of the petition be changed to March 1, 2000, for consideration at the March 17, 2000, Public Meeting. Letters in support of the petition were filed by Telecommunications Resellers Association, Competitive Telecommunications Association, and UNICOM. Opposition to the petition was filed by GTE Northwest Incorporated and U S WEST Communications, Inc., (USWC). On March 3, 2000, Joint Petitions filed a response to USWC's opposition.

In its Staff Report for the March 17, 2000, Public Meeting, the Commission Staff recommended that the Commission decline to open a rulemaking docket and instead open a general investigation. The Staff Report is attached as Appendix A. After discussion at the Public Meeting, the Commission adopted in part Staff's recommendation to decline to open a rulemaking proceeding. However, the Commission also declined to open an investigation proceeding.

ORDER

IT IS ORDERED that:

1. Joint Petitioners' petition to adopt a rule allowing a Fresh Look period for eligible contracts with incumbent local exchange carriers is denied; and
2. Docket AR 371 is closed.

Made, entered, and effective _____.

Ron Eachus
Chairman

Roger Hamilton
Commissioner

Joan H. Smith
Commissioner

A person may petition the Court of Appeals to determine the validity of a rule pursuant to ORS 183.400.