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BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

AR 392

In the Matter of a Rulemaking to Revise)
Rules Relating to Telecommunications) ORDER
Utilities and Cooperatives.)

DISPOSITION: RULES AMENDED; RULE ADOPTED

On October 20, 2000, the Public Utility Commission (PUC) opened a rulemaking proceeding to revise Oregon Administrative Rules (OARs) 860-021-0610 and 860-034-0280 for telecommunications utilities and add OAR 860-034-0725 for telecommunications cooperatives. The revisions will complete the implementation of ORS 646.578 (formerly ORS 646.571) and make some housekeeping changes.

On October 24, 2000, the Commission filed Notice of the Proposed Rulemaking with the Secretary of State and subsequently served it on all interested parties. The notice set out the amendments proposed by Commission Staff, and included a Statement of Need, Statutory Authority, Principal Documents Relied Upon, and Fiscal and Economic Impact. The notice was published in the December 1, 2000, *Oregon Bulletin*.

There were no written comments nor was there a request for a public hearing as a result of the notice.

At its Public Meeting on January 23, 2001, the Commission approved Staff's recommendation to adopt the proposed rules as set forth in Appendix A.

ORDER

IT IS ORDERED that:

- 1. Oregon Administrative Rules 860-021-0610, 860-034-0280, and 860-034-0725, as set forth in Appendix A, are adopted.
- 2. The changes shall be effective upon filing with the Secretary of State.

Made, entered, and effective _____.

BY THE COMMISSION:

Vikie Bailey-Goggins
 Commission Secretary

A person may petition the Commission for the amendment or repeal of a rule pursuant to ORS 183.390. A person may petition the Court of Appeals to determine the validity of a rule pursuant to ORS 183.400.

860-021-0610

Telephone Solicitation

(1) As used in this rule:

~~—(a) “Telecommunications providers” means certified providers of local exchange service except for providers certified solely as competitive telecommunications providers.~~

~~—(b) “Parties” means residential customers of telecommunications providers.~~

~~—(2) All Each telecommunications ~~providers~~ utility shall notify ~~parties its~~ residential customers of the provisions of ORS 646.561, ORS 646.563, ORS 646.567 through ~~646.571~~ 646.578, and ORS 646.608. The notices shall include a statement that a customer not wishing to be solicited may file a request, together with the required fees, with the telephone solicitation program administrator contracted by the State Attorney General. The notices shall include the address and the telephone number for the customer to contact the telephone solicitation program administrator. The notice shall be provided in the following manner and a copy shall be forwarded to the Commission:~~

~~(a) Annual inserts in the billing statements mailed to parties; or~~

~~(b) Conspicuous publication of the notice in the consumer information pages of local telephone directories.~~

Stat. Auth.: ORS Ch. 183, 646 & 756

Stat. Implemented: ORS ~~646.571~~646.578 & 756.040

Hist.: PUC 7-1991, f. & ef. 5-10-91 (Order No. 91-583); PUC 11-1998, f. & ef. 5-7-98 (Order No. 98-188); PUC 1-2000, f. & ef. 1-18-00 (Order No. 00-023); PUC 5-2000, f. & ef. 4-17-00 (Order No. 00-192)

860-034-0280

Telephone Solicitation

(1) As used in this rule:

~~—(a) “Telecommunications providers” means certified providers of local exchange service except for providers certified solely as competitive telecommunications providers.~~

~~—(b) “Parties” means residential customers of telecommunications providers.~~

~~—(2) Pursuant to ORS 646.571, telecommunications providers may identify in local telephone directories parties who do not wish to receive any telephone solicitation. Telecommunications providers who are subject to ORS 759.175 shall file with the Commission all rates, terms, and conditions for any identification program offered.~~

~~—(3) All telecommunications providers Each utility shall notify ~~parties its~~ residential customers of the provisions of ORS 646.561, ORS 646.563, ORS 646.567 through ~~646.571~~ 646.578, and ORS 646.608. The notices shall include a statement that all telecommunications providers may identify in local telephone directories parties who do not wish to receive any telephone solicitation a customer not wishing to be solicited may file a request, together with the required fees, with the telephone~~

solicitation program administrator contracted by the State Attorney General. The notice shall include the address and the telephone number for the customer to contact the telephone solicitation program administrator. The notice shall be provided in the following manner and a copy shall be forwarded to the Commission:

- (a) Annual inserts in the billing statements mailed to parties; or
- (b) Conspicuous publication of the notice in the consumer information pages of local telephone directories.

Stat. Auth.: ORS Ch. 183, 646, 756 & 759

Stat. Implemented: ORS **646.578 & 759.045**

Hist.: PUC 6-1993, f. & ef. 2-19-93 (Order No. 93-185); PUC 12-1998, f. & ef. 5-7-98 (Order No. 98-188)

860-034-0725

Telephone Solicitation

Each cooperative shall notify its residential customers of the provisions of ORS 646.561, ORS 646.563, ORS 646.567 through 646.578, and ORS 646.608. The notice shall include a statement that a customer not wishing to be solicited may file a request, together with the required fees, with the telephone solicitation program administrator contracted by the State Attorney General. The notice shall include the address and the telephone number for the customer to contact the telephone solicitation program administrator. The notice shall be provided in the following manner and a copy shall be forwarded to the Commission:

- (a) Annual inserts in the billing statements mailed to parties; or**
- (b) Conspicuous publication of the notice in the consumer information pages of local telephone directories.**

Stat. Auth.: ORS Ch. 183, 646, 756 & 759

Stat. Implemented: ORS 646.578 & 756.040

Hist.: NEW