

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UA 138

In the Matter of	)	
	)	ORDER
THE PUBLIC UTILITY COMMISSION	)	
OF OREGON	)	
	)	
Staff's reallocation of local exchange	)	
telecommunications service territory for	)	
Scio Mutual Telephone Association.	)	

**DISPOSITION: REALLOCATION APPROVED**

The 2005 Legislature changed Oregon's territory allocation law for telecommunications utilities and telecommunications cooperatives. The new law allocates local exchange telecommunications service territory as a geographic area within boundaries set forth in exchange maps filed with and approved by the Commission. This replaces the old "metes and bounds" descriptions. ORS 759.500(1).

Section 27, chapter 232, Oregon Laws 2005, directs the Commission to:


Reallocate every allocated local exchange telecommunications service territory to a telecommunications utility, cooperative corporation or municipality to whom the commission had previously allocated local exchange telecommunications service territory. Allocations granted by the commission pursuant to this subsection shall replace all allocations to telecommunications utilities, cooperative corporations or municipalities granted by the commission prior to January 1, 2006.

Staff recommends the reallocation of Scio Mutual Telephone Association's (Scio) local exchange telecommunications service territory using the boundaries of the exchange maps filed with and approved by the Commission, as set forth in Table 1 of Appendix A, replacing all previous territory allocations for Scio.

**ORDER**

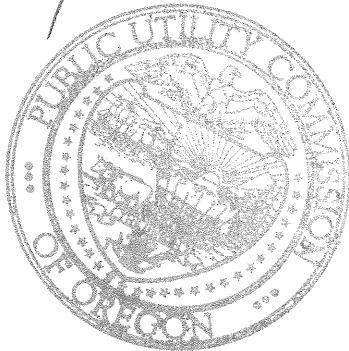
IT IS ORDERED that Scio Mutual Telephone Association's local exchange telecommunications service territory is reallocated using the boundaries of the exchange maps filed with and approved by the Commission as set forth in Table 1 contained in Appendix A, replacing all previous territory allocations for Scio Mutual Telephone Association.

Made, entered, and effective DEC 18 2008.

  
\_\_\_\_\_  
**Lee Beyer**  
Chairman

  
\_\_\_\_\_  
**John Savage**  
Commissioner

  
\_\_\_\_\_  
**Ray Baum**  
Commissioner



A party may request rehearing or reconsideration of this order pursuant to 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 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480-183.484.

ITEM NO. CA2

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: December 9, 2008**

REGULAR \_\_\_\_\_ CONSENT X EFFECTIVE DATE \_\_\_\_\_ N/A \_\_\_\_\_

DATE: December 1, 2008

TO: Public Utility Commission

FROM: Marlene Gorsuch *MEG*

THROUGH: Lee Sparling, Bryan Conway and Kay Marinos *LS BC KM*

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: (Docket No. UA 138)  
Reallocation of local exchange telecommunications service territory for  
Scio Mutual Telephone Association.

**STAFF RECOMMENDATION:**

Reallocate Scio Mutual Telephone Association's local exchange telecommunications service territory using the boundaries of the exchange map filed with and approved by the Commission as set forth in Table 1. This reallocation replaces all previous territory allocations for Scio Mutual Telephone Association (Scio).

**DISCUSSION:**

The 2005 Legislature changed Oregon's territory allocation law for telecommunications utilities and telecommunications cooperatives. The new law allocates local exchange telecommunications service territory (service territory) as a geographic area within boundaries set forth in exchange maps filed with and approved by the Commission. This replaces the old "metes and bounds" descriptions. See ORS 759.500(1).

Section 27, chapter 232, Oregon Laws 2005, subsection (1) directs the Commission to: "Reallocate every allocated local exchange telecommunications service territory to a telecommunications utility, cooperative corporation or municipality to whom the Commission had previously allocated local exchange telecommunications service territory. Allocations granted by the commission pursuant to this subsection shall replace all allocations to telecommunications utilities, cooperative corporations or municipalities granted by the commission prior to January 1, 2006."

The Commission previously allocated local exchange telecommunications service territory to Scio in an order issued in 1986. Staff reviewed the Commission's records to

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 December 1, 2008  
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identify all Scio territory allocation orders issued prior to January 1, 2006, and currently in effect. Staff then determined that Scio's approved local exchange map is encompassed in whole or in part by the metes and bounds description provided in a December 16, 1985 letter from Scio General Manager, Boyd D. Spiker.

On November 5, 2008, staff sent Scio a letter describing staff's conclusions in detail, and asking Scio to make corrections, if any, by November 26, 2008. Scio confirmed staff's basic conclusion regarding the relationship between the previous territory allocation order and the approved local exchange map in a letter from Thomas J. Barth, CEO and General Manager of Scio Mutual Telephone, dated November 14, 2008.

Table 1 describes reallocation for Scio in detail. Reallocations are identified by exchange name and the effective date of the corresponding Commission-approved exchange map. Previous allocation is identified by Commission order number.

TABLE 1

Exchange Name	Reallocation Approved Exchange Map (Effective Date)	Previous Allocation (Commission Order)
Scio	December 16, 1985	Order No. 86-338

**PROPOSED COMMISSION MOTION:**

Scio Mutual Telephone Association's local exchange telecommunications service territory be reallocated using the boundaries of the exchange map filed with and approved by the Commission as set forth in Table 1, replacing all previous territory allocations for Scio Mutual Telephone Association.

Scio Reallocation Memo