

ORDER NO. 12 233

ENTERED JUN 25 2012

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1602

In the Matter of

COMPSPAN COMMUNICATIONS

Petition for Exemption of Service Quality
Reporting Requirements under
OAR 860-032-0012(15) (c).

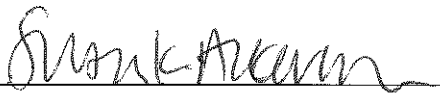
ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

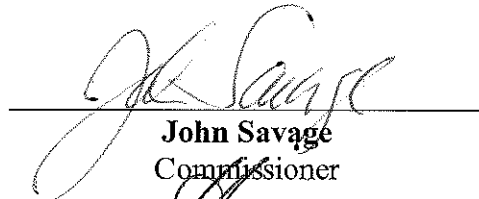
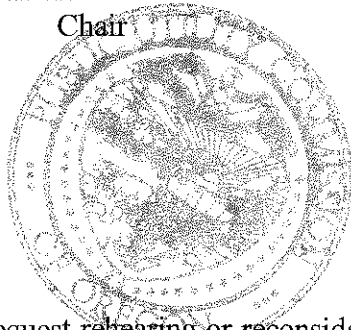
At its Public Meeting on June 19, 2012, the Public Utility Commission of Oregon adopted Staff's recommendation in this matter, attached as Appendix A.

This order memorializes the decision of the Public Utility Commission of Oregon made and effective at a public meeting held on June 19, 2012.

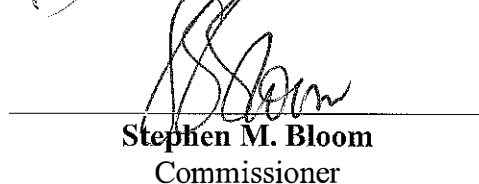
Dated this 25 day of June, 2012, at Salem, Oregon.



Susan K. Ackerman
Chair



John Savage
Commissioner



Stephen M. Bloom
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 Court of Appeals in compliance with ORS 183.480 through 183.484.

PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: June 19, 2012

REGULAR _____ CONSENT X EFFECTIVE DATE _____ N/A _____

DATE: June 12, 2012

TO: Public Utility Commission

FROM: Malia Brock *MB*

THROUGH: Jason Eisdorfer, Bryan Conway, and Irv Emmons *JE* *BC* *IE*

SUBJECT: COMSPAN COMMUNICATIONS INC: (Docket No. UM 1602) Petition for exemption of service quality reporting requirements under OAR 860-032-0012(15)(c).

STAFF RECOMMENDATION:

Staff recommends the Commission grant the petition for exemption from certain Service Quality Reporting filed by ComSpan Communications Inc. (ComSpan) but expressly reserve the authority to revoke the exemption for cause as explained in this Staff report.

DISCUSSION:

On May 21, 2012, ComSpan filed a petition pursuant to OAR 860-032-0012(15)(c) requesting exemption from the rule's monthly Service Quality Reporting. ComSpan is certified as a Competitive Telecommunications Provider in the state of Oregon.

OAR 860-032-0112 outlines service quality reporting requirements for Competitive Telecommunications Providers that maintain more than 1,000 access lines on a statewide basis.

ComSpan had to meet all service quality objective service levels as set forth in sections (4) through (8) of OAR 860-032-0012 for twelve consecutive months. The ComSpan service level thresholds that had to be met were:

ComSpan Communications Inc.

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- Provisioning (90%);
- Held Orders for Lack of Facilities (no more than two held orders per wire center);
- Trouble Report Rate (cannot exceed 2.0 for more than three months during a sliding twelve-month period);
- Repair Clearing Within 48-Hours (95%);
- Blocked Calls (maximum blockage of 1% for interoffice final trunk groups for no more than three consecutive months); and
- Access to Competitive Telecommunications Provider Representatives (ComSpan does not have an automated answering system nor capabilities to measure this parameter).

ComSpan met these thresholds for the twelve month period ending April 2012. Staff also reviewed the Consumer Services Section archives of complaints relating to ComSpan and found no complaints within the twelve month period.

Staff notes that granting an exemption request under the rule does not vacate ComSpan's continuing requirement to measure service quality metrics, gather information, and retain a complete record of service quality data for at least one year as outlined in OAR 860-032-0012. ComSpan's request, if granted, would only exempt ComSpan from submitting Service Quality Reports to the Commission on a monthly basis. Any exemption from Service Quality Reporting may be revoked upon a showing by Staff that service has degraded, primarily by a resumption of service complaints.

PROPOSED COMMISSION MOTION:

The Commission grant ComSpan's petition to cease reporting service quality results subject to revocation upon a showing by Staff that service has degraded.

ComSpan exemption