

ORDER NO. 14 198

ENTERED: JUN 05 2014

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1648

In the Matter of

PUBLIC UTILITY COMMISSION OF
OREGON,

Staff Investigation into Eligible
Communication Carriers' Requirements.

ORDER

DISPOSITION: SECOND PARTIAL STIPULATION ADOPTED;
ORDER NO. 06-292 AMENDED TO CHANGE 2014
ANNUAL REPORTING REQUIREMENTS

I. SUMMARY

In this order, we adopt a second partial stipulation of the parties regarding the annual reporting requirements in 2014 for recertification of telecommunications carriers eligible to receive federal Universal Service Fund (FUSF) support. We also amend our Order No. 06-292 by further revising the ordering clause added by Order No. 13-228. For the year 2014, carriers shall submit certain reports filed with the Federal Communications Commission (FCC) in lieu of the annual reporting requirement specified in Order No. 06-292. Eligible telecommunications carriers (ETCs) shall also be required to meet additional reporting and certification requirements as described in this order.

II. INTRODUCTION

The Telecommunications Act of 1996 (the Act) has, among its goals, the promotion of quality services at just, reasonable, and affordable rates, access to advanced telecommunications and information services, and access to services in rural areas comparable to services in urban areas. Integral to the Act is a national policy that every household have, at a minimum, the equivalent of single-line, basic voice-grade, telephone service, often referred to as "Lifeline" service. To that end, it provides for the FUSF which provides financial support to designated providers of telecommunications services in high-cost areas and to qualifying low-income consumers. A carrier that meets the standards necessary to receive FUSF support is designated an eligible telecommunications carrier (ETC).

Section 214(e) of the Act sets forth the requirements for ETC designation. Under federal law, states can also set standards for granting a carrier ETC status, and Oregon

has done so. In Order No. 06-292¹ we established guidelines for carriers seeking certification as ETCs in Oregon. An itemized “checklist” was attached to the order as Appendix A. The checklist consists of two parts: the “Initial Designation—Application Requirements” and the “Annual Recertification Requirements.” Under the Annual Recertification Requirements, we currently require Oregon ETCs to file Oregon-specific annual reports by July 15 of each year. These reports were designed to provide sufficient information to enable the Commission to recertify Oregon ETCs to the FCC by October 1 of each year.

III. PROCEDURAL HISTORY

A. The Impact of the FCC’s USF Transformation and Lifeline Reform Orders

Late in 2011, the FCC issued an order transforming the FUSF and changing the types of high-cost support available to ETCs (*USF/ICC Transformation Order*). The *Order* significantly increased the FCC’s role in the ETC designation and recertification process, and implemented new mandatory annual reporting requirements for ETCs receiving FUSF high-cost support. In addition, early in 2012, the FCC issued a separate order reforming its Lifeline program for low-income support and implementing new requirements for ETCs that provide Lifeline services (*Lifeline Reform Order*). The *Lifeline Reform Order* requires ETCs receiving Lifeline support to submit new annual reports to the FCC. The result of these two FCC orders is that the FCC now requires all ETCs to submit new annual reports directly to them, at a date still to be determined. The ETCs must also share copies of these reports with the relevant state commissions.

Given the due dates for the reports and the commonalities in the information contained in both the Oregon and FCC reports, on March 7, 2013, we opened this docket to review our existing ETC requirements to harmonize as necessary the Commission requirements with the new FCC mandatory requirements and modifications to the FUSF program. The review would address the two types of requirements—initial ETC designation requirements and annual reporting requirements—separately and in phases, for reasons of urgency and complexity. We realized that it might well be that the annual reports required by Order No. 06-292 can be replaced by the FCC reports, thereby eliminating duplication and lessening the regulatory burdens placed on Oregon ETCs.

We concluded that the first phase of this docket should address these annual reporting requirements. The objective of the first phase of the docket would be to determine whether the new FCC reports contain information sufficient to meet the Commission’s needs for annual ETC recertifications for this, and following years. If that were the case, the Commission reports could be replaced by the FCC reports, thereby eliminating duplication and lessening the regulatory burdens placed on Oregon ETCs. A prehearing conference establishing a schedule for this phase was held on March 22, 2013, and numerous entities intervened and became parties in the proceeding. A partial stipulation and motion to amend order, discussed below, was filed June 3, 2013 on behalf of all of the parties.

¹ Docket No. UM 1217 (Jun 13, 2006).

By letter of June 13, 2013, the Commission Staff advised us that on June 10, 2013, the FCC had granted a limited waiver of certain ETC annual reporting requirements until after the Federal Office of Management and Budget approves the FCC's new annual report form. The FCC order also granted a limited waiver of the states' usual October 1 deadline for filing annual certification.²

B. The First Partial Stipulation and Order No. 13-228

That first partial stipulation between AT&T Corp., Teleport Communications America LLC, and AT&T Mobility LLC; Boomerang Wireless, LLC; Budget Prepay, Inc.; Commission Staff; CenturyTel of Oregon, Inc., CenturyTel of Eastern Oregon, Inc., United Telephone Company of the Northwest d/b/a CenturyLink; and Qwest Corporation; the Citizens' Utility Board of Oregon (CUB); Cricket Communications, Inc.; Frontier Communications Northwest, Inc., Citizens Telecommunications Co. of Oregon; Nexus Communications Inc.; Oregon Telecommunications Association; T-Mobile West LLC; United States Cellular Corp.; Warm Springs Telecommunications Company; and YourTel America, Inc., was filed with the Commission on June 3, 2013 and adopted by the Commission in Order No. 13-228, entered June 19, 2013.

The first partial stipulation proposed that, in lieu of filing the annual Oregon reports for ETC recertification normally due on July 15, 2013, eligible telecommunications carriers could submit copies of their mandatory 2013 FCC reports followed by a notarized affidavit from an officer of the ETC submitted to the Commission certifying that all federal high-cost support received within Oregon was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrade of facilities and services for which the support was intended. Competitive ETCs receiving high-cost support were required to file network improvement plans by July 15, as required by Order No. 06-292.

Order No. 13-228 was limited only to amending Order No. 06-292 and did not relieve the carriers of any other obligations or requirements; neither did it preclude the Commission from changing requirements for any carrier in any future order, or prevent the Staff from seeking clarifications or additional information relating to the recertification process. As part of our order, we acted on an expedited basis and waived the requirements of OAR 860-001-0350(7)(a). The amendment was necessary in order to add the alternative reporting provisions contained in the first partial stipulation as a new paragraph 5 to the ordering clauses.

Paragraph 6 of the first partial stipulation also stated that "The Parties agree to revisit, in this docket, the issue of the annual reports for ETC recertification after October 1, 2013, to consider whether the reporting requirements set forth in Order No. 06-292 should be modified for 2014 or any subsequent years."³

On June 10, 2013, the FCC granted a limited waiver of certain ETC annual reporting requirements and a waiver of the state's usual October 1 deadline for filing annual

² *In the Matter of Connect America Fund*, FCC-10-90, DA 13-1348 (Jun 10, 2013).

³ Order No. 13-228, Appendix A at 5.

certifications,⁴ and on August 6, 2013 issued a public notice announcing the new ETC report filing and recertification deadlines.⁵

In a status report filed October 1, 2013, the parties indicated that during the succeeding months they would work to develop positions on future annual report filing requirements. A prehearing conference and workshop were held on April 4, 2014.

IV. THE SECOND PARTIAL STIPULATION AND MOTION TO AMEND ORDER

On May 15, 2014, a majority of the parties⁶ filed a second partial stipulation supported by joint testimony and a motion to again amend Order No. 06-292 at page 18, by the inclusion of a new ordering paragraph which would replace the paragraph 5 added by Order No. 13-228. The stipulation is attached to this order as Appendix A. The parties assert that this second partial stipulation's first objective was to ensure that the Commission has sufficient information to recertify Oregon ETCs for FUSF high-cost funds and to monitor performance of providers' service to FUSF-supported low-income customers. The second objective was to minimize reporting burdens on ETCs to the extent possible consistent with its primary goal. To those ends, the second partial stipulation proposes the continued use of FCC Form 481 reports in lieu of the Oregon-specific reports required by Order No. 06-292. The parties also stipulated that they would revisit the issue of annual reports for ETC recertification after October 1, 2014, to consider whether the Order No. 06-292 reporting requirements should be modified for 2015 or any subsequent years and whether non-facilities-based Lifeline-only ETC would be required to report the information in 47 CFR §54.422(b).⁷ Lastly, the parties wanted to provide a recommendation to the Commission quickly so that ETCs had sufficient time in advance of the due dates to prepare their reports.⁸

The first modification proposed in the second partial stipulation only affects competitive ETCs (CETCs) that receive high-cost support.⁹ Currently, CETCs are required to annually file network improvement plans which are intended to demonstrate how the FUSF support was actually used in the previous year and what the detailed project-by-project plans were for using that support in the upcoming two years. Such plans were submitted for 2013 as one of the conditions of the first partial stipulation, even though the FCC did not require them as part of its new reporting requirements. In the second partial stipulation, the parties agreed that the filing of CETC network plans is no longer useful and should be eliminated.¹⁰

⁴ *Id.*, DA 13-1348 (Jun 10 2013).

⁵ FCC 10-90 and 11-42, DA 13-1707 (Aug 6, 2013).

⁶ Three parties in the docket, CUB, Budget Prepay and YourTel, were not signatories and did not participate in any stipulation-related activities. No party opposes the stipulation. Stipulating Parties/100, Marinos/Mullin/Wolf/4-5.

⁷ Second Partial Stipulation at 5.

⁸ Stipulating Parties/100, Marinos/Mullin/Wolf/7.

⁹ This group currently consists of U.S. Cellular, AT&T Mobility, Snake River PCS, and Comspan Communications.

¹⁰ Stipulating Parties/100, Marinos/Mullin/Wolf/8-9.

The second proposed modification provides clarification of reporting requirements for Lifeline-only ETCs, *i.e.*, those ETCs that receive support only for low-income (and not high-cost) purposes.

The 2013 Stipulation required the filing of FCC reports pursuant to 47 C.F.R. §54.422 for Lifeline providers. This FCC rule, unlike some others, distinguishes reporting requirements based on whether the ETC was designated by the FCC or by a state commission. There may have been some confusion last year as to exactly which information the Lifeline-only ETCs were to report to the Commission.¹¹

This proposed modification states that the Lifeline-only ETCs will report to the Commission the same information required by 47 C.F.R. §54.422(b) even though this rule does not apply to ETCs designated by state commissions. The federal rule addresses network outages, customer complaints, compliance with applicable service quality standards and consumer protection rules, and the ability to function in emergency situations and closely tracks our service standard reporting requirements in Order No. 06-292. The stipulating parties contend that its adoption ensures that Staff is provided with consistent information for all ETCs operating in Oregon.¹²

The third modification proposed in the second partial stipulation relates to the due dates for the reports. Last year, the filing date was extended an additional two weeks beyond the FCC filing date because of changes in the federal requirements. That extension is not necessary this year. Subsequent changes in deadlines by the FCC will be matched by changes in Oregon. Submissions of updates or revisions to the Form 481 reports will continue to be required within 5 days of filing such changes with the FCC.¹³

Because of uncertainty in the substance of future FUSF reporting requirements and open questions regarding the potential impact of some reporting requirements on non-facilities-based providers with pending Lifeline-only ETC applications before the Commission, the parties did not propose to make this year's changes permanent, but rather to maintain flexibility to respond in the future to changes as they occur.¹⁴

Finally, the stipulating parties contend that future changes in reporting requirements will be necessary because 2014 is the first year that some Incumbent Local Exchange Carriers (ILECs) will submit five-year plans as well as information on broadband services to the FCC. The FCC has, as yet, failed to provide state commissions with guidance as to the substance and form of those plans and the Commission and staff may wish to gather more information than that which will be provided to the FCC.¹⁵

¹¹ *Id.* at 10.

¹² *Id.*

¹³ *Id.* at 10-11.

¹⁴ *Id.* at 12. Reporting requirements for non-facilities-based providers will also likely be addressed relative to initial designation requirements in Phase II of this docket.

¹⁵ *Id.* at 13.

V. DISCUSSION

In this docket, Staff has continued to work with the affected ETCs and interested parties to quickly recommend a course of action allowing us to replace the Commission reports, to the extent possible, with FCC reports and still provide us with all of the information necessary to enable industry oversight in the public interest. The interim step applied to the July 15, 2013 reports provided the Commission with the opportunity to assess the impact of such a transition, while reducing the regulatory burden upon such carriers and allowing the parties to continue to explore the ramifications of such changes in this phase of the proceeding. This next proposed set of changes continues to enable the Commission to acquire the data it needs to fulfill its oversight role and protect the public interest, while addressing the burdens of compliance on service providers.

We conclude that the requested order amendments in the second partial stipulation are reasonable and necessary to effectuate the stipulation. The second partial stipulation should be adopted.

VI. ORDER

IT IS ORDERED that:

1. The second partial stipulation between AT&T Corp., Teleport Communications America LLC, and AT&T Mobility LLC; Boomerang Wireless, LLC; the Staff of the Public Utility Commission of Oregon; CenturyTel of Oregon, Inc., CenturyTel of Eastern Oregon, Inc., United Telephone Company of the Northwest d/b/a CenturyLink, and Qwest Corporation; Cricket Communications, Inc.; Frontier Communications Northwest, Inc., Citizens Telecommunications Co. of Oregon; Nexus Communications Inc.; Oregon Telecommunications Association; T-Mobile West LLC; United States Cellular Corp.; and Warm Springs Telecommunications Company, attached as Appendix A, is adopted;
2. Order No. 06-292, as amended by Order No. 13-228, is further amended by replacing paragraph 5 of the ordering clauses with the following:
 5. Eligible telecommunications carriers shall not be required to file the annual set of Oregon carrier reports for ETC recertification that would be due by July 15, 2014. In lieu of filing the 2014 reports, each carrier shall comply with the following:
 - a. Each ETC carrier shall file with the Commission a complete (non- redacted) copy of each report pertaining to Oregon that the ETC files with the FCC for 2014, pursuant to the following regulations, as applicable:

- A. 47 CFR § 54.304 (CAF ICC support);
- B. 47 CFR § 54.313 (high-cost support) — Form 481 and Rate Floor Data form;
- C. 47 CFR § 54.422 (low-income support) — Form 481; and
- D. 47 CFR § 54.1009 (mobility fund support) — Form 690.

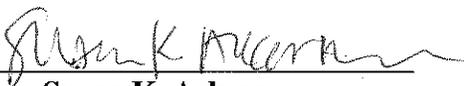
b. ETCs receiving only low-income support must file with the Commission a report that includes all of the information specified in 47 CFR § 54.422(b) even if the ETC does not submit Form 481 with this information to the FCC;

c. Copies of the foregoing 2014 reports shall be filed with the Commission no later than the corresponding due dates for these types of reports as determined by the FCC. Subsequent updates or revisions to such reports shall be filed no later than five business days following the date any update or revision is submitted to the FCC.

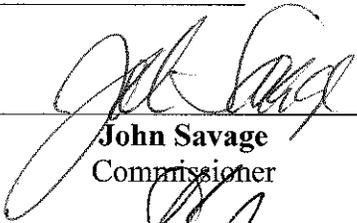
d. Each ETC carrier receiving federal high-cost support shall, no later than the due date of the Form 481, file a notarized affidavit from an officer of the carrier company in the form approved by Commission staff certifying that all federal high-cost support received within Oregon was used in the preceding calendar year, and will be used in the coming calendar year only for the provision, maintenance and upgrade of facilities and services for which the support is intended.

3. The remainder of Order No. 06-292 is unchanged.

Made, entered, and effective JUN 05 2014



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.

1 **BEFORE THE PUBLIC UTILITY COMMISSION**

2 **OF OREGON**

3 **UM 1648**

4 In the Matter of

5 Staff Investigation into Eligible
6 Telecommunications Carriers' Requirements

**SECOND
PARTIAL STIPULATION**

7 **INTRODUCTION**

8 1. The parties to this Stipulation are AT&T Corp., Teleport Communications America
9 LLC, AT&T Mobility LLC (collectively "AT&T"), Boomerang Wireless, LLC, staff
10 of the Public Utility Commission of Oregon ("Staff"), CenturyLink companies
11 (Qwest Corporation, United Telephone Company of the Northwest, CenturyTel of
12 Oregon and CenturyTel of Eastern Oregon, collectively "CenturyLink"), Cricket
13 Communications, Inc., Frontier Communications Northwest Inc. and Citizen's
14 Telecommunications Co. of Oregon dba Frontier Communications of Oregon, Nexus
15 Communications Inc., Oregon Telecommunications Association ("OTA"), T-Mobile
16 West LLC ("T-Mobile"), United States Cellular Corp. ("US Cellular"), and Warm
17 Springs Telecommunications Company, collectively referred to as "the Parties."
18 The Citizens' Utility Board of Oregon, Budget Prepay, Inc. and YourTel America
19 Inc. did not participate in recent activities in this docket, and are not parties to this
20 Second Partial Stipulation. No party opposes this stipulation.

21 2. By entering into this Second Partial Stipulation, the Parties intend to resolve the
22 pending issue of the annual reporting requirements in 2014 for recertification of
23 telecommunications carriers eligible to receive federal Universal Service Fund
24 support and establish a time and process to reconsider annual reporting requirements
25 for future reporting years.

26 ///

BACKGROUND

1

2 3. In Order No. 06-292, the Commission adopted requirements for the annual
3 recertification of telecommunications carriers eligible to receive federal Universal
4 Service Fund ("FUSF") support from the Federal Communications Commission
5 ("FCC"), commonly referred to as Eligible Telecommunications Carriers ("ETCs").

6 4. The Commission currently requires Oregon ETCs to file the Oregon-specific annual
7 reports listed in Appendix A of Order 06-292 by July 15 of each year. The
8 Commission established these annual reports to gain sufficient information to enable
9 it to re-certify Oregon ETCs to the FCC by October 1 of each year as required by 47
10 CFR § 54.314, and to monitor ETCs' ongoing compliance with requirements. These
11 requirements were established based on prior FCC decisions and the testimony and
12 comments submitted in Docket No. UM 1217.

13 5. In November 2011, the FCC issued an order that, in relevant part, provides for new
14 mandatory annual reporting requirements for ETCs receiving high-cost support.
15 Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161
16 (November 18, 2011). In February 2012, the FCC issued an order that includes new
17 annual reporting requirements for ETCs receiving support from the federal Lifeline
18 program for low-income support. Report and Order and Further Notice of Proposed
19 Rulemaking, FCC 12-11 (February 6, 2012). FCC annual reporting procedures are
20 developing. High-cost annual reporting requirements are currently largely reflected
21 in FCC regulations, specifically 47 CFR § 54.313. Reporting requirements for ETCs
22 receiving Lifeline support are reflected in 47 CFR § 54.422. In addition, annual
23 reporting requirements for ETCs receiving Connect America Fund Intercarrier
24 Compensation Replacement ("CAF ICC") support are provided in 47 CFR § 54.304
25 and annual reporting requirements for ETCs receiving Mobility Fund support are set
26 forth in 47 CFR § 54.1009. Annual reports other than those required by 47 CFR §

1 54.304 are due to the FCC by July 1 of each calendar year. The section 54.304
2 reports are due on the date that the carrier files its annual access tariff filing with the
3 FCC.

4 6. The FCC annual reports cover many of the same items that are included in the
5 Oregon reports. The FCC requires ETCs to submit copies of their FCC reports to
6 state commissions. The new FCC reports may result in duplication of reporting for
7 ETCs and increased burdens on ETCs that can be reduced if the Oregon reporting
8 requirements are modified.

9 7. The Commission opened this Docket to review and consider changes to the
10 requirements for designation and annual recertification of ETCs. The Docket
11 addresses these issues in two phases, with Phase I designated to address ETC annual
12 reporting requirements and Phase II to address initial requirements of ETC
13 designation.

14 8. In Phase I, the Parties first agreed to specific 2013 annual reporting requirements, as
15 reflected in the Partial Stipulation filed in this docket on June 3, 2013. The
16 Commission adopted the partial stipulation in Order No. 13-228.

17 9. In this Second Partial Stipulation, the parties propose a new set of reporting
18 requirements for the 2014 reporting year. These requirements improve upon the 2013
19 filing requirements. The parties agree to revisit the issue of the annual reports for
20 ETC recertification in subsequent years following the 2014 recertification process
21 and, if the parties agree, to support adoption of the 2014 requirements on a continuing
22 basis.

23 SECOND PARTIAL STIPULATION

24 1. The Parties agree to request that the Commission amend Order 06-292 to modify the
25 following provisions on page 18 of the Order:

26 ///

1 5. Eligible telecommunications carriers shall not be required to file
 2 the annual set of Oregon carrier reports for ETC recertification that would
 3 be due by July 15, 2014. In lieu of filing the 2014 reports, each carrier
 4 shall comply with the following:

5 a. Each ETC carrier shall file with the Commission a complete (non-
 6 redacted) copy of each report pertaining to Oregon that the ETC files with
 7 the FCC for 2014, pursuant to the following regulations, as applicable:

8 A. 47 CFR § 54.304 (CAF ICC support);

9 B. 47 CFR § 54.313 (high-cost support) – Form 481 and Rate
 10 Floor Data form;

11 C. 47 CFR § 54.422 (low-income support) – Form 481; and

12 D. 47 CFR § 54.1009 (mobility fund support) – Form 690.

13 b. ETCs receiving only low-income support must file with the
 14 Commission a report that includes all of the information specified in 47
 15 CFR § 54.422(b) even if the ETC does not submit Form 481 with this
 16 information to the FCC;

17 c. Copies of the foregoing 2014 reports shall be filed with the
 18 Commission no later than the corresponding due dates for these types of
 19 reports as determined by the FCC. Subsequent updates or revisions to
 20 such reports shall be filed no later than five business days following the
 21 date any update or revision is submitted to the FCC.

22 d. Each ETC carrier receiving federal high-cost support shall, no later
 23 than the due date of the Form 481, file a notarized affidavit from an officer
 24 of the carrier company in the form approved by Commission staff
 25 certifying that all federal high-cost support received within Oregon was
 26 used in the preceding calendar year, and will be used in the coming
 calendar year only for the provision, maintenance and upgrade of facilities
 and services for which the support is intended.

2. The Parties acknowledge that this Partial Stipulation pertains only to annual reporting requirements as initially set forth in Order 06-292; it does not relieve any carrier of any special reporting requirements adopted in any other Commission order, nor does it bar the inclusion of special reporting requirements for any carrier in any future Commission order.

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- 1 3. The Parties acknowledge that when filing a report submitted to the FCC with the
2 Commission, an ETC may submit a document or a portion of a document to the
3 Commission under a claim of confidentiality pursuant to OAR 860-001-0070.
- 4 4. The Parties agree that Staff may request clarification of annual reports for 2014 and
5 request additional information related to re-certification of high-cost FUSF support
6 under 47 CFR § 54.314 from the ETC.
- 7 5. The Parties agree that this Second Partial Stipulation does not alter or limit the
8 reporting obligations of any carrier subject to the current reporting requirements in
9 OAR Chapter 860, Division 33.
- 10 6. The Parties agree to revisit, in this docket, the issue of the annual reports for ETC
11 recertification after October 1, 2014, to consider whether the reporting requirements
12 set forth in Order 06-292 should be modified for 2015 or any subsequent years. The
13 Parties specifically agree to revisit whether non-facilities-based Lifeline-only ETCs
14 will be required to report the information in 47 CFR § 54.422(b). If the parties are in
15 agreement that the 2014 reporting requirements should be adopted on a continuing
16 basis, the parties agree to support a motion filed with the Commission to amend
17 Order No. 06-292 by adopting the 2014 reporting requirements as an annual reporting
18 requirement.
- 19 7. The Second Partial Stipulation will be offered into the record of the above-captioned
20 docket pursuant to OAR 860-001-0350. The Parties will support the Second Partial
21 Stipulation throughout this proceeding and any appeal, provide witnesses to sponsor
22 the Stipulation at any hearing held in the above-captioned docket, and recommend
23 that the Commission issue an order adopting the settlement contained herein.
- 24 8. The Parties have negotiated the Second Partial Stipulation as an integrated document.
25 If the Commission rejects all or any material portion of the Partial Stipulation, or
26 conditions its approval upon the imposition of additional material conditions, any

1 party disadvantaged by such action shall have the rights provided in OAR 860-001-
2 0350 and shall be entitled to seek reconsideration of the Commission's order.

3 9. By entering into this Second Partial Stipulation, no party shall be deemed to have
4 approved, admitted or consented to the facts, principles, methods or theories
5 employed by any other party in arriving at the terms of the Stipulation. No party shall
6 be deemed to have agreed that any part of the Second Partial Stipulation is
7 appropriate for resolving issues arising in any other proceeding.

8 10. The Second Partial Stipulation may be executed in counterparts and each signed
9 counterpart shall constitute an original document.

10 The Second Partial Stipulation is entered into by each Party on the date entered below.

11 AT&T CORP., TELEPORT
12 COMMUNICATIONS AMERICA LLC,
13 AT&T MOBILITY LLC, CRICKET
COMMUNICATIONS, INC.

BOOMERANG WIRELESS, LLC

14 Dated: 5/14/14

Dated: _____

15 By: Sharon L. Mullin

By: _____

16 CENTURYLINK COMPANIES (Qwest Corporation,
17 United Telephone Company of the Northwest,
18 CenturyTel of Oregon and CenturyTel of
Eastern Oregon)

PUBLIC UTILITY COMMISSION STAFF

19 Dated: _____

Dated: _____

20 By: _____

By: _____

22 FRONTIER COMMUNICATIONS
23 NORTHWEST INC., CITIZEN'S
24 TELECOMMUNICATIONS CO. OF
OREGON

25 Dated: _____

26 By: _____

1 party disadvantaged by such action shall have the rights provided in OAR 860-001-
2 0350 and shall be entitled to seek reconsideration of the Commission's order.

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11 AT&T CORP., TELEPORT
12 COMMUNICATIONS AMERICA LLC,
13 AT&T MOBILITY LLC, CRICKET
COMMUNICATIONS, INC.

BOOMERANG WIRELESS, LLC

14 Dated: _____

Dated: 5/12/2014

15 By: _____

By: *Alan J. Gallberg*

16 CENTURYLINK COMPANIES (Qwest Corporation,
17 United Telephone Company of the Northwest,
18 CenturyTel of Oregon and CenturyTel of
Eastern Oregon)

PUBLIC UTILITY COMMISSION STAFF

19 Dated: _____

Dated: _____

20 By: _____

By: _____

22 FRONTIER COMMUNICATIONS
23 NORTHWEST INC., CITIZEN'S
24 TELECOMMUNICATIONS CO. OF
OREGON

25 Dated: _____

Dated: _____

26 By: _____

By: _____

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 13 AT&T MOBILITY LLC, CRICKET
 14 COMMUNICATIONS, INC.

BOOMERANG WIRELESS, LLC

14 Dated: _____

Dated: _____

15 By: _____

By: _____

16 CENTURYLINK COMPANIES (Qwest Corporation,
 17 United Telephone Company of the Northwest,
 18 CenturyTel of Oregon and CenturyTel of
 19 Eastern Oregon)

PUBLIC UTILITY COMMISSION STAFF

19 Dated: May 12, 2014

Dated: _____

20 By: Ron L Trullinger

By: _____

22 FRONTIER COMMUNICATIONS
 23 NORTHWEST INC., CITIZEN'S
 24 TELECOMMUNICATIONS CO. OF
 25 OREGON

25 Dated: _____

26 By: _____

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13 AT&T MOBILITY LLC, CRICKET
COMMUNICATIONS, INC.

BOOMERANG WIRELESS, LLC

14 Dated: _____

Dated: _____

15 By: _____

By: _____

16 CENTURYLINK COMPANIES (Qwest Corporation,
17 United Telephone Company of the Northwest,
18 CenturyTel of Oregon and CenturyTel of
Eastern Oregon)

PUBLIC UTILITY COMMISSION STAFF

19 Dated: _____

Dated: May 15, 2014

20 By: _____

By: *John R...*

22 FRONTIER COMMUNICATIONS
23 NORTHWEST INC., CITIZEN'S
24 TELECOMMUNICATIONS CO. OF
OREGON

25 Dated: _____

26 By: _____

1 party disadvantaged by such action shall have the rights provided in OAR 860-001-
2 0350 and shall be entitled to seek reconsideration of the Commission's order.

3 9. By entering into this Second Partial Stipulation, no party shall be deemed to have
4 approved, admitted or consented to the facts, principles, methods or theories
5 employed by any other party in arriving at the terms of the Stipulation. No party shall
6 be deemed to have agreed that any part of the Second Partial Stipulation is
7 appropriate for resolving issues arising in any other proceeding.

8 10. The Second Partial Stipulation may be executed in counterparts and each signed
9 counterpart shall constitute an original document.

10 The Second Partial Stipulation is entered into by each Party on the date entered below.

11 AT&T CORP., TELEPORT
12 COMMUNICATIONS AMERICA LLC,
13 AT&T MOBILITY LLC, CRICKET
COMMUNICATIONS, INC.

BOOMERANG WIRELESS, LLC.

14 Dated: _____

Dated: _____

15 By: _____

By: _____

16 CENTURYLINK COMPANIES (Qwest Corporation,
17 United Telephone Company of the Northwest,
18 CenturyTel of Oregon and CenturyTel of
Eastern Oregon)

PUBLIC UTILITY COMMISSION STAFF

19 Dated: _____

Dated: _____

20 By: _____

By: _____

22 FRONTIER COMMUNICATIONS
23 NORTHWEST INC., CITIZEN'S
24 TELECOMMUNICATIONS CO. OF
OREGON

25 Dated: May 12, 2014

26 By: [Signature]

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NEXUS COMMUNICATIONS INC.
Dated: 5/12/2014
By: Alan J. Galbraith

OREGON TELECOMMUNICATIONS ASSOCIATION
Dated: _____
By: _____

T-MOBILE WEST LLC
Dated: 5/12/2014
By: Alan J. Galbraith

UNITED STATES CELLULAR CORP
Dated: 5/12/2014
By: Alan J. Galbraith

WARM SPRINGS TELECOMMUNICATIONS COMPANY
Dated: _____
By: _____

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NEXUS COMMUNICATIONS INC.

OREGON TELECOMMUNICATIONS ASSOCIATION

Dated: _____

Dated: May 12, 2014

By: _____

By: B. Wolf Brent Wolf

T-MOBILE WEST LLC

UNITED STATES CELLULAR CORP

Dated: _____

Dated: _____

By: _____

By: _____

WARM SPRINGS TELECOMMUNICATIONS COMPANY

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NEXUS COMMUNICATIONS INC.

OREGON TELECOMMUNICATIONS ASSOCIATION

Dated: _____

Dated: _____

By: _____

By: _____

T-MOBILE WEST LLC

UNITED STATES CELLULAR CORP

Dated: _____

Dated: _____

By: _____

By: _____

WARM SPRINGS TELECOMMUNICATIONS COMPANY

Dated: 5/13/2014

By: Marsha Spellman