

PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: October 22, 2001

REGULAR CONSENT EFFECTIVE DATE _____

DATE: October 11, 2001

TO: Commissioners Hemmingway, Beyer, and Smith

FROM: Michael Grant, Administrative Law Judge

SUBJECT: Docket AR 415 Requests adoption of rules for the transfer of Certificates of Authority to provide telecommunications service as a Competitive Provider.

SUMMARY RECOMMENDATION:

Adopt proposed rules to establish procedures allowing telecommunications providers to transfer certificates of authority to provide telecommunications services in Oregon.

DISCUSSION:

OAR 860-032-0005(4) prohibits the transfer or assignment of certificates of authority without Commission consent. However, there currently are no rules that govern the transfer process. Accordingly, the Commission initiated this rulemaking to establish procedures allowing the transfer of certificates of authority.

On May 25, 2001, the Commission filed a Notice of the Proposed Rulemaking with the Secretary of State, and subsequently served it on persons interested in such matters. The notice was published in the Secretary of State's Oregon Bulletin on July 1, 2001.

The Commission conducted a workshop on July 23, 2001 with telecommunications providers and other interested persons, and held a rulemaking hearing on September 24, 2001. The Commission received comments from Qwest, Verizon, Oregon Telecommunications Association, Worldcom, and Commission Staff. The attached draft order summarizes the positions of the participants.

ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS:

I recommend adoption of permanent rules establishing procedures for the transfer of Certificates of Authority to provide telecommunications service as a Competitive Provider. As explained in the draft order, the procedures are based on existing requirements for obtaining a certificate of authority, including notification and opportunity for protest, under ORS 759.020(2).

For a copy of the attachments to this memo, call the Administrative Hearings Division at 503-373-7394.