

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: July 10, 2007**

REGULAR CONSENT EFFECTIVE DATE _____ N/A _____

DATE: June 29, 2007

TO: Public Utility Commission

FROM: Lois Meerdink

THROUGH: Lee Sparling, Vikie Bailey-Goggins

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: Request to cancel certificates of authority to provide telecommunications service in Oregon of carriers who violated the terms and conditions of their certificates.

STAFF RECOMMENDATION:

Staff recommends the certificates of authority to provide telecommunications services for the competitive providers listed below be cancelled.

DISCUSSION:

Oregon Revised Statute (ORS) 759.020 authorizes the Commission to grant certificates of authority to telecommunications competitive providers who intend to provide telecommunications service in Oregon. The Commission grants certificates with conditions. Among them are OAR 860-032-0060 which requires providers to submit annual reports to the Commission and ORS 759.425 which requires them to comply with Oregon Universal Service Fund requirements. Pursuant to OAR 860-032-0015(1)(b) and OAR 860-032-0008, failure to comply with applicable Oregon Revised Statutes and Oregon Administrative Rules can result in cancellation of the companies' authority to provide telecommunications service in Oregon.

The following competitive providers either:

1. failed to file a 2006 Annual Report;
2. failed to comply with Oregon Universal Service Fund requirements

ORS 756.514(4) provides that the Commission may, after investigation, but without hearing, make such findings and orders as deemed justified by the results of their investigation. As a result of not complying with Commission rules and terms of their certificates, the following certificates of authority to provide telecommunications service in Oregon should be cancelled:

Docket Number	Reason for Cancellation	Name of Company
UM 623	1	Buehner Fry Inc.
CP 289	1	Buehner Fry Inc.
CP 1269	2	DeITel Inc.
CP 1216	1	Lightyear Network Solutions LLC
CP 839	1	Nations Broadband Inc.
CP 1191	1	One Eighty Networks Inc.
CP 538	1 & 2	Opex Communications Inc.

PROPOSED COMMISSION MOTION:

The certificate of authority for the telecommunications competitive providers listed above should be cancelled.