ORDER NO. 07-274

ENTERED 06/18/07

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UM 490

In the Matter of	)	
	)	
OPERATOR SERVICE COMPANY	)	
	)	ORDER
Application for a Certificate of Authority	)	
to Provide Telecommunications Service in	)	
Oregon and Classification as a Competitive	)	
Provider.	)	

DISPOSITION: CANCELLATION ORDER RESCINDED

On July 14, 1992, the Commission granted a certificate of authority to Operator Service Company (OSC) to provide telecommunications service in Oregon as a competitive provider. *See* Order No. 92-1012.

Oregon telecommunications providers are required to provide requested information to the Commission. After investigation, the Commission found that OSC failed to comply with Oregon Universal Service Fund requirements per ORS 759.425 and OAR 860-032-0008(2). At the April 19, 2005, public meeting, the Commission determined that OSC's certificate of authority should be canceled. OSC's certificate of authority was canceled in Order No. 05-243. On May 23, 2005, Osc filed a request to suspend Order No. 05-243, claiming that it had complied with the Commission's rules and regulations. A review of the Commission's records indicated that OSC filed the requested information and Order No. 05-735 was entered on June 8, 2005, reinstating OSC's certificate of authority.

Again, after investigation, the Commission found that OSC failed to submit payments to the Oregon Universal Service Fund Form 2 for the third quarter of 2006 as required per ORS 759.425. At the March 25, 2007, public meeting, the Commission determined that OSC's certificate of authority should be canceled. OSC's certificate of authority was canceled in Order No. 07-130. On April 10, 2007, OSC filed a request to suspend Order No. 07-130, claiming that it had complied with the Commission's rules and regulations. A review of the Commission's records indicates that OSC filed the requested information.

The information sent by OSC to the Commission was late. However, the information has been received and it indicates OSC is providing telecommunications service in Oregon. Under the circumstances, the cancellation of OSC's certificate should be rescinded.

The Commission notes that this is the second time that OSC has sought reinstatement following the cancellation of its authority. In a letter dated April 12, 2007, OSC notified the Commission that deadlines for reports and payments are now clear and set forth specific organizational changes and safety checks regarding the payment of fees and filing of reports. OSC supplied contact information regarding specific duties related to the Commission. Under these circumstances, the Commission emphasizes the need for OSC to fully comply with the Commission's rules and regulations in the future. If OSC again fails to fulfill its regulatory obligations, the Commission may conclude that it is not in the public interest to process a future application for recertification as a competitive provider.

ORDER

IT IS ORDERED that Order No. 07-130 canceling the certificate of authority of Operator Service Company, is rescinded.

Made, entered, and effective JUN 18 2007.

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 to a court pursuant to applicable law.