

**PUBLIC UTILITY COMMISSION OF OREGON
INTEROFFICE CORRESPONDENCE**

DATE: August 4, 2008

TO: Michael Grant
Administrative Hearings Division

FROM: Marlene Gorsuch
Telecommunications Division

SUBJECT: UA 136 – Helix Telephone Application for Allocation of Territory

The purpose of this memo is to provide information regarding Helix Telephone Company's (Helix Telephone) application in Docket UA 136 for allocation of territory.

Background and Purpose for Requested Allocation:

On April 3, 2008, Helix Telephone applied for allocation of territory and authority to serve previously unallocated and unserved territory in an area directly south of the Company's existing Meacham Exchange. For the most part, this area lies within Umatilla County, with a small portion in the southeast corner extending into Union County.

The need for this application came to light during a recent Commission process, mandated by the 2005 Legislative Session, to reallocate every allocated local exchange telecommunications service territory from the previous metes and bounds descriptions to a geographic area within boundaries set forth on exchange maps. It was during Staff's map verification part of that process that Helix Telephone realized that the Commission was unaware of their extension of service to customers outside of the previously allocated Meacham Exchange. Helix had extended service into this area at the request of customers who were not served by any telecommunications service provider.

On May 14, 2008, Commission Order No. 08-255 reallocated the two telephone exchanges, Helix Exchange and Meacham Exchange, served by Helix Telephone Company, from their original metes and bounds descriptions to the Commission-approved maps on file. Helix Telephone is now submitting a new map reflecting the extension of service south of the Meacham Exchange and asking the Commission to approve this allocation.

Helix reports that there are two customers, including the Oregon Department of Transportation, that are currently being served in the area.

Meeting Requirements for Requested Allocation:

In their request, Helix Telephone speaks to the requirements laid out in OAR 860-025-0025, noting that:

- 1) the ORS no longer requires a metes and bounds description,
- 2) a map is included in their request,
- 3) there are no persons providing similar utility service in proximity of the unserved area who have an interest in or would be affected by approval or disapproval of the application,
- 4) the Company is already serving the area and there are no other telecommunications companies that are in proximity that could extend service to the area, and
- 5) the Company extended service to the area in response to a request for service from the customers residing in that area.

Helix reports that the customers in the area they are now requesting to be allocated were “previously totally unserved with any telecommunications service and are now receiving high quality telecommunications service from Helix. The customers are receiving service at the same rates as other customers in the Meacham Exchange.” They also state that Helix has facilities to provide service to any new customers that request service in the area within a reasonable period of time.

Support for the Allocation:

This allocation is in the public interest, as it will legitimize the service already being provided to the customers in the requested area.

On March 5, 2008 when I sent the letter to Helix Telephone asking them to verify the two exchange maps and the original Commission orders allocating by metes and bounds descriptions, James Smith discovered the discrepancy between what we had on file for Meacham and the service territory for Meacham as it exists today. When I asked him how this might have happened, he mentioned that, “back when Dad was doing this, they took care of business with a hand shake.” He promised then to follow up with the “new and improved” Meacham Exchange Map and a request to have this additional area allocated to Helix Telephone Company as part of the Meacham Exchange.

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Pursuant to ORS 759.535 and OAR 860-025-0020 and OAR 860-025-0025, Helix Telephone has met the criteria for requesting the authority to provide service in this area previously unallocated and unserved.

Staff recommends that the Commission approve the allocation of the extended area contiguous to the Meacham Exchange. A copy of that application, including the map defining the new area, is attached. I have also attached a copy of the Meacham Exchange Map currently on file with the Commission.

cc: James Smith
Richard A. Finnigan

Attachments (2)

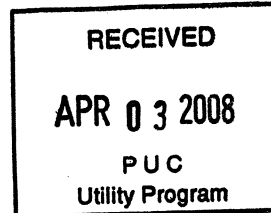
LLA 136

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April 3, 2008



VIA E-MAIL AND U.S. MAIL

Filing Center
Oregon Public Utility Commission
550 Capitol Street NE, Suite 215
Salem, OR 97301-2529

Re: Application of Helix Telephone Company Pursuant to ORS 759.535

Dear Sir/Madam:

Enclosed you will find the original and three copies of the above-referenced Application. Pursuant to the Commission's rules, an electronic copy has been filed as well.

If you have any questions concerning this Application, please contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to be "Richard A. Finnigan".

RICHARD A. FINNIGAN

RAF/km
Enclosures

cc: Jim Smith (via e-mail, w/encl.)

BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

DOCKET UA __

In the Matter of the Application of Helix
Telephone Company for the Allocation of
Certain Territory

**APPLICATION OF HELIX
TELEPHONE COMPANY PURSUANT
TO ORS 759.535**

COMES NOW, Helix Telephone Company (“Helix”) and hereby applies for an order concerning the Meacham exchange which allocates certain territory (the “Territory”) to Helix that was unserved territory at the time Helix began to provide service in the area.

This Application is filed pursuant to ORS 759.535 and OAR 860-025-0025. Helix also requests that the Commission recognize the Territory as part of the existing Meacham exchange, as described herein.

In support thereof, and pursuant to the requirements of OAR 860-025-0025,¹ Helix states and submits the following information:

¹ It appears that some of the requirements of OAR 860-025-0025 are no longer applicable as a result of changes created by Laws of 2005, Chapter 232. An example is the metes and bounds legal descriptions referenced in OAR 860-025-0025(1) and (2) by their cross-reference to OAR 860-025-0020. Helix respectfully requests waiver of such requirements.

Statement of Purposes for the Allocation

The Territory lies immediately south of the existing boundary of the Meacham exchange. A map showing how the Meacham exchange would look with the allocation of the Territory is attached as Exhibit 1. The Territory is that portion of Exhibit 1 that is below the south section line of Sections 9, 10 and 11 of R 35 E, T 1 S, Willamette Meridian. For the most part, the Territory lies within Umatilla County. A small portion in the southeast corner of the Territory lies in Union County.

Helix extended service into this area at the request of customers who were not served by any telecommunications service provider.

OAR 860-025-0025 Requirements

In this section, Helix will set out the manner in which this Application complies with the requirements of OAR 860-025-0025.

OAR 860-025-0025(1): Except for OAR 860-025-0020(4), the requirements of this subsection are met by the filing of Exhibit 1, if the waiver as requested in footnote 1 of this Application is granted as to the provision of a metes and bounds description and other descriptive factors. As to the incorporation of OAR 860-025-0020(4) into OAR 860-025-0025, Helix states that it is in fact providing exclusive wireline telecommunications service within the area described as encompassing the Territory. No other person is providing a similar utility service within that Territory.

OAR 860-025-0025(2): This requirement is satisfied by Exhibit 1.

OAR 860-025-0025(3): There are no persons providing similar utility service in proximity of the unserved area who have an interest in or would be affected by approval or disapproval of the Application.

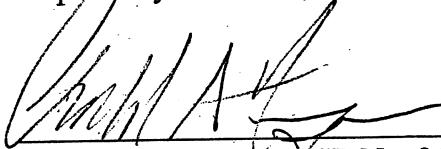
OAR 860-025-0025(4): Since Helix is already serving the area and there are no other telecommunications companies that are in proximity that could extend service to the area, the requirements of this subsection have been met. In addition, Exhibit 1 helps satisfy the requirements of this subsection. Further, there are two customers, including the Oregon Department of Transportation, that are currently being served in the area. Helix has facilities to provide service to any new customers that request service in the area within a reasonable period of time.

OAR 860-025-0025(5): Helix extended service into the Territory in response to a request for service from the customers in the Territory. Those customers were previously totally unserved with any telecommunications service and are now receiving high quality telecommunications service from Helix. The customers are receiving service at the same rates as other customers in the Meacham exchange.

WHEREFORE, Helix requests the Commission issue an order allocating the Territory as described herein to Helix and approving the exchange map set out on Exhibit 1 as the allocated Territory comprising the Meacham exchange served by Helix.

DATED: April 3, 2008

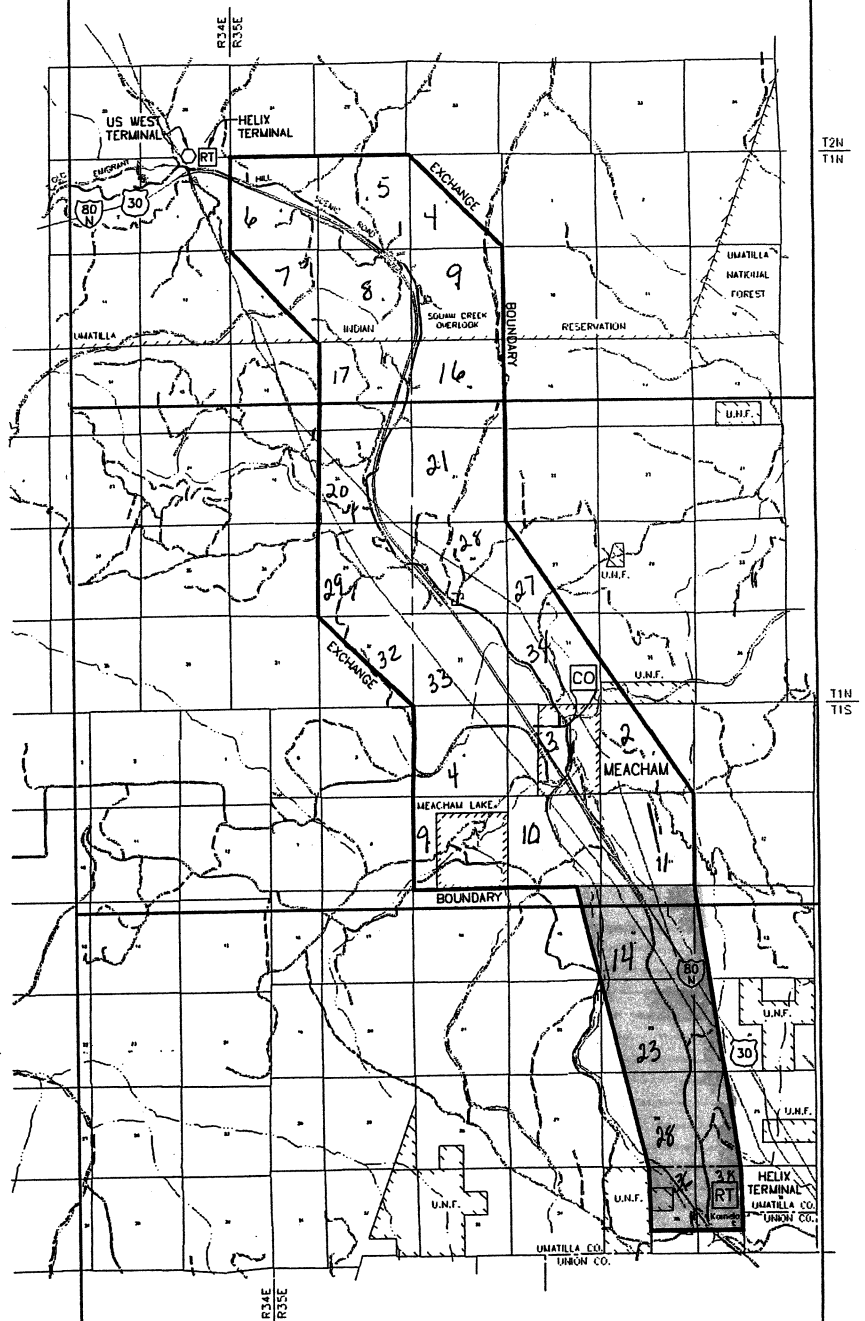
Respectfully submitted,



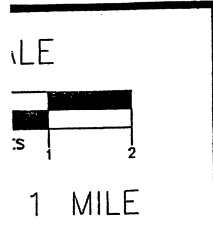
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Attorney for Helix Telephone Company

EXHIBIT 1

PACIFIC NORTHWESTERN BELL TELEPHONE COMPANY



PACIFIC NORTHWESTERN BELL TELEPHONE COMPANY



SYMBOLS

- CABLE ROUTE
- PAVED ROAD
- IMPROVED ROAD
- UNIMPROVED ROAD
- SERVICE AREA BOUNDARY
- CO CENTRAL OFFICE
- RT REMOTE TERMINAL
- HANDHOLE
- NO SERVICE
- SERVED CUSTOMER

HELIX TELEPHONE COMPANY
 HELIX, OREGON
 OREGON 548

MILFORD ENGINEERING BOISE, IDAHO
 DWN. BY: JWR CKD. BY: RLM APVD. BY: RLM DATE: 3/3/97

DATE
3/3/97