

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1017(3)

In the Matter of

PUBLIC UTILITY COMMISSION OF
OREGON

Investigation into Expansion of the
Oregon Universal Service Fund to
Include the Service Areas of Rural
Telecommunications Carriers

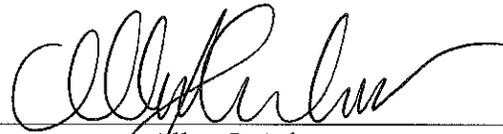
RULING

DISPOSITION: PETITIONS TO INTERVENE GRANTED

A prehearing conference in this docket was held on June 7, 2011, at which time a schedule was adopted. In compliance with the schedule¹, petitions to intervene were filed by Comspan Communications, Inc. (Comspan); MCImetro Access Transmission Services LLC, MCI Communications Service, Inc., TTI National Inc., Teleconnect Long Distance Services and Systems Co., Verizon Enterprise Solutions LLC and Verizon Long Distance LLC (collectively Verizon); AT&T Communications of the Pacific Northwest, Inc., TCG Joint Venture Holdings, Inc, and AT&T Mobility LLC and its operating subsidiaries in Oregon (collectively AT&T); Frontier Communications Northwest, Inc., and Citizens Telecommunications Co. of Oregon (collectively Frontier); Comcast Phone of Oregon, LLC (Comcast); and CenturyLink.

Upon review of the petitions, I find that these parties have sufficient interest in the proceedings to participate and that their participation will not unreasonably broaden the issues, burden the record, or delay the proceedings.² The petitions to intervene are therefore granted.

Dated this 17th day of June, at Salem, Oregon.


Allan J. Arlow
Administrative Law Judge

Attachment: Notice of Contested Case Rights and Procedures

UM 1017(3) Ruling Granting Petitions to Intervene 6-17-11

¹ Although a person may petition to intervene at any time before the close of the record, the schedule included a date for petitions to intervene of June 16, 2011, because it is helpful to the Commission if parties are identified early in the proceedings.

² See OAR 860-001-0300.

NOTICE OF CONTESTED CASE RIGHTS AND PROCEDURES

Oregon law requires state agencies to provide parties written notice of contested case rights and procedures. Under ORS 183.413, you are entitled to be informed of the following:

Hearing: The time and place of any hearing held in this proceeding will be noticed separately. The Commission will hold the hearing under its general authority set forth in ORS 756.040 and use procedures set forth in ORS 756.518 to 756.610 and OAR Chapter 860, Division 001. Copies of these statutes and rules may be accessed via the website at www.puc.state.or.us. The Commission will hear issues as identified by the parties.

Right to Attorney: As a party to this hearing, you may be represented by counsel. Should you desire counsel but cannot afford one, legal aid may be able to assist you; parties are ordinarily represented by counsel. The Commission staff, if participating in the case, will be represented by the Department of Justice. Once a hearing has begun, you will not generally be allowed to postpone the hearing to obtain counsel.

Administrative Law Judge: The Commission has delegated the authority to preside over hearings to Administrative Law Judges (ALJs). The scope an ALJ's authority is defined in OAR 860-001-0090. The ALJ make evidentiary and other procedural rulings, analyze the contested issues, and present legal and policy recommendations to the Commission.

Hearing Rights: You have the right to respond to all issues identified, and present evidence and witnesses on those issues. See OAR 860-001-0450 to OAR 860-001-0490. You may obtain discovery from other parties through depositions, subpoenas, and data requests. See ORS 756.538 and 756.543; OAR 860-001-0500 to 860-001-0540.

Evidence: Evidence is generally admissible if it is of a type relied upon by reasonable persons in the conduct of their serious affairs. See OAR 860-001-0450(1)(b). Objections to the admissibility of evidence must be made at the time the evidence is offered. Objections are generally made on grounds that the evidence is unreliable, irrelevant, repetitious, or because its probative value is outweighed by the danger of unfair prejudice, confusion of the issues, or undue delay. The order of presenting evidence is determined by the ALJ. The burden of presenting evidence to support an allegation rests with the person raising the allegation. Once a hearing is completed, the ALJ will not generally allow the introduction of additional evidence without good cause.

Record: The hearing will be recorded, either by a court reporter or by audio/digital tape, to preserve the testimony and other evidence presented. Parties may contact the court reporter about ordering a transcript or request the Commission for a copy of the tape for a fee set forth in OAR 860-001-0060(3)(e)(B). The hearing record will be made part of the evidentiary record that serves as the basis for the Commission's decision and, if necessary, the record on any judicial appeal.

Final Order and Appeal: After the hearing, the ALJ will prepare a draft order resolving all issues and present it to the Commission. The ALJ's draft order is not open to party comment. The Commission will make the final decision in the case and may adopt, modify, or reject the ALJ's recommendation. If you disagree with the Commission's decision, you may request reconsideration of the final order within 60 days. See ORS 756.561 and OAR 860-001-0720. You may also file a petition for review with the Court of Appeals within 60 days. See ORS 756.610.