

FILED
NOV 07 2018

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

JWK
IN THE MATTER OF A PERMANENT
RULEMAKING OF THE OKLAHOMA
CORPORATION COMMISSION AMENDING
**OAC 165:59, OKLAHOMA UNIVERSAL
SERVICE AND OKLAHOMA LIFELINE**

COURT CLERK'S OFFICE - OKC
CORPORATION COMMISSION
OF OKLAHOMA
CAUSE NO. RM 201800019

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the Public Utility Division ("PUD") of the Oklahoma Corporation Commission ("Commission") recommends that the Commission amend the Telecommunications Services rules that are set forth in the Oklahoma Administrative Code ("OAC") 165:59. The proposed changes to OAC 165:59 are as follows:

In OAC 165:59-1-4, PUD proposes to add new definitions for "dedicated communication" and "wholesale broadband service."

In OAC 165:59-3-64, PUD proposes to remove reference to the provision of a cost study and add a reference to OAC 165:59-3-70 as the source of minimum filing requirements for a cause filed pursuant to 17 O.S. § 139.106(G); add a new paragraph allowing for determinations or Commission Orders to be applicable to reimbursements for more than a twelve (12) month period and provide for the OUSF Administrator to develop a streamlined procedure and reporting format for subsequent reviews of such determinations or Orders.

In OAC 165:59-3-70, PUD proposes to add a new paragraph allowing reductions of universal service funding received from alternative sources to be included, with supporting documentation in accordance with OAC 165:59-3-70(b), in a cause filed pursuant to 17 O.S. § 139.106(G).

NOTICE IS FURTHER GIVEN that the Commission has jurisdiction to initiate this permanent rulemaking pursuant to the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 *et seq.*, 17 O.S. § 152, and Article IX, Section 18 of the Oklahoma Constitution.

NOTICE IS FURTHER GIVEN that the PUD believes it is necessary to adopt permanent rules clarifying and simplifying existing law and to address changes in best practices that resulted from the notice of inquiry in Cause No. PUD 201800066. Upon adoption of the

permanent rules proposed herein, by the Commission, the proposed rules shall be submitted to the Governor and the Oklahoma Legislature for approval as permanent rules.

NOTICE IS FURTHER GIVEN that the proposed rules will be made available for public inspection at the Commission's Oklahoma City Court Clerk's office, First Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105. A copy of the proposed rules may be requested by phone at (405) 521-2352, email at courtclerk@occemail.com, or by visit to the Commission's Oklahoma City Court Clerk's Office. The proposed rules are also accessible on the Commission's website at <http://www.occeweb.com> and may be downloaded at no cost to the end user.

NOTICE IS FURTHER GIVEN that the Rule Impact Statement pursuant to 75 O.S. § 303(D) will be timely prepared and made available for public inspection in the Commission's Court Clerk's Office, First Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105, no later than fifteen (15) days after the date of publication of this Notice of Proposed Rulemaking.

NOTICE IS FURTHER GIVEN that PUD will have a **technical conference on January 9, 2019 at 10:00 a.m.** in Courtroom 301, Third Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105. All parties interested in the proposed rules are urged and welcome to attend. One or more of the Commissioners may be present at the technical conference and may participate in the dialogue with the rulemaking participants regarding the issues of the proposed rulemaking.

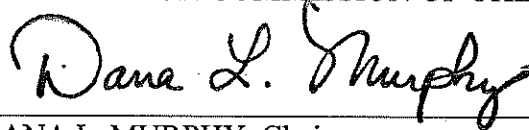
NOTICE IS FURTHER GIVEN that the Commission invites all interested persons to **submit comments regarding the proposed changes to the Rules on or before December 21, 2018.** Those persons interested in submitting comments should file one (1) copy of their comments, referring to Cause No. RM 201800019, with the Commission's Court Clerk's Office. The comments will be made available for public inspection by telephone, email, or in-person request during regular business hours of the Court Clerk's Office, 8:00 a.m. to 4:30 p.m.

Pursuant to 75 O.S. §§ 303 and 504, business entities are requested, if the proposed rules affect such entities, to provide to the Commission in writing, a description of the probable quantitative (costs) and qualitative impact of the proposed rules, economic or otherwise, and use quantifiable data to the extent possible, taking into account both short-term and long-term consequences.

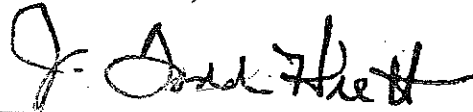
NOTICE IS FURTHER GIVEN that the **Commission en banc** shall consider the adoption of the proposed permanent rules at a public hearing at 9:30 a.m. on February 7, 2019, in Courtroom 301, Third Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105.

NOTICE IS FURTHER GIVEN that further information and inquiries regarding this proposed rulemaking should be directed to Jeff W. Kline, Assistant General Counsel, by telephone (405) 521-2308, e-mail j.kline@occemail.com, facsimile (405) 521-4150, or at Room 400, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105, or Post Office Box 52000, Oklahoma City, Oklahoma 73152-2000.

CORPORATION COMMISSION OF OKLAHOMA



DANA L. MURPHY, Chairman



J. TODD HIATT, Vice Chairman



BOB ANTHONY, Commissioner

CERTIFICATION

DONE and PERFORMED this 7th day of NOVEMBER, 2018 BY ORDER OF THE COMMISSION:

[Seal]



PEGGY MITCHELL, Commission Secretary