

**OREGON PUBLIC UTILITY COMMISSION
GUIDELINES FOR – FORM 751
Residential Service Protection Fund (RSPF)**

Telecommunications Provider/Telephone: The name and telephone number of the telecommunications provider or Eligible Telecommunications Carrier (ETC) responsible for submitting the RSPF surcharge Remittance. This surcharge must be collected on all subscriber lines that have access to the Telecommunications relay service (which is most lines) (Chapter 290, Sections 2-16, Oregon Laws 1987). Do not put the name of the firm contracted by your company to remit the surcharge on your behalf.

Address/City/State/Zip: Business address of the telecommunications provider. If your company's tax department is different than the general business address of your company, please put this information down on this line. Do not put the address of the firm contracted by your company to remit the surcharge on your behalf.

Preparer Name/Telephone: Name and telephone number of person preparing the form (this can be an employee of the telecommunications provider or the employee of the firm that has been contracted by your company to remit the surcharge for you.)

Preparer Company: Note the name of the company preparing the form if it is different than the telecommunications provider.

Preparer E-Mail Address: The electronic mail address of the person who is preparing the form.

Preparer Address/City/State/Zip: Address of the company employing the preparer, if different from telecommunications provider.

Report Month/Year and Quarterly/Monthly: The month(s) surcharge revenue accrued, year and whether the remittance is monthly or quarterly.

NOTE: Oregon Administrative Rules 860-033-0006 defines when a telecommunication provider must remit the RSPF surcharge. Late report fees are also described in OAR 860-033-0007 and 860-033-0008. Quarterly reports must be remitted on (or the next working day of) January 21st, April 21st, July 21st and October 21st. Monthly reports must be remitted by the 21st or the next working day of the month following the reporting period.

Company Identification Number (ID#): Identification numbers are issued by the Public Utility Commission. If a number has not been established, please contact Lois Meerdink (503) 378-8959 (for ILEC/CLEC) or RSPF Manager (800)848-4442 (for Radio Common Carrier) to have one issued.

ILEC: Incumbent Local Exchange Carrier. Under ORS 759.025, ILECs are telecommunications utilities, cooperatives, and associations.



OREGON PUBLIC UTILITY COMMISSION
GUIDELINES FOR – FORM 751
Residential Service Protection Fund (RSPF)

CLEC: Competitive Local Exchange Carrier. A CLEC has certificate(s) of authority in Oregon under ORS 759.020 and ORS 759.050 to provide intraexchange service only or to provide intraexchange and interexchange services.

Radio Common Carrier (Wireless): A telecommunications common carrier that provides radio communication or wireless telecommunications services but is not in the business of providing landline local exchange service per 47 C.F.R.

1. Total Number of Telephone Exchanges in Use in Oregon: A central system of switches and other equipment that establishes connections between individual telephones currently in use in Oregon by the telecommunications provider.

2. Total Number of Access Lines/Instruments Billed and Unbilled During Report Period: The total number of lines and instruments (for wireless companies) provided by the Telecommunications Provider, whether billed or unbilled to entities.

3. Subtractions: This section includes any lines where surcharge remittances were not collected and should be deducted from the number of lines listed under XVII, #2.

3a. Unpaid Access Line/instrument billings: Any unpaid lines that would normally have been collected during the remittance period.

3b. Number of Lines Paid by Others Due to Interconnection Agreements: Telecommunication Providers, particularly ILECs, should list the resellers, CLECs or other parties who remit the surcharge from lines that are leased out and the number of lines that should be remitted by these entities.

3c. Exempt Lines: This section includes lines that are exempt from surcharge collections.

3c.i. No Dial Out or Dial In Capability: Lines that can communicate with other lines only internally and cannot receive calls from outside lines (or make calls to outside lines). If the lines have at least one capability, the RSPF surcharge must be collected on those lines.

3c.ii. Pagers (without Dial Out or Dial In Capability): Text-based pagers that cannot be connected to another line. Pagers such as Sidekick I & II and RIM 950 are not exempt from the RSPF surcharge because they have dial out capabilities and are able to connect with telecommunication relay services.

3c. iii. Coin Operated Instruments: Pay phones.



OREGON PUBLIC UTILITY COMMISSION
GUIDELINES FOR – FORM 751
Residential Service Protection Fund (RSPF)

3c. iv. Security System Lines: Lines established exclusively to activate security systems for businesses or residential homes. These lines should have no dial out or dial in capabilities.

3c. v. Exempt entities: Entities that are exempt from paying the surcharge by federal or state law and includes (but is not limited to):

- Regional housing authorities (*ORS 456.225*)
- Municipal government bodies or public corporations
(*People's Utility District et al. v. Wasco County et al., 210 OR 1, 305 P2d 766 (1957)*)
- State telephone lines (*Eagle Point Irr. Dist. V. Cowden et al., 137 OIr App 121, 1 P2d 605 (1931)*)
- Counties or political subdivisions (*Cent. Lincoln P.U.D v. State Tax Com., 221 Or 398, 351 P2d 694 (1960)*)
- Native Americans who are enrolled members of a tribe and located on federally-recognized reservations (*McClanahan v. Arizona Tax Commission, 411 US 162 (1973)*)
- Foreign government offices (*Smith v. Davis, 323 US 111 (1944)*)
- Services receiving exchange access service
- Certain federally chartered corporations (specifically exempted from state excise taxes by federal statute, including federal banks and banking associations created under the Farm Credit System and exempt under 12 U.S.C – 2055 and 2075.

Form 751 preparers who have questions about criteria not listed above should contact the RSPF manager, Jon Cray, at jon.cray@state.or.us

3c. vi. Other: Other exemptions not listed on the form. Please list the specific exemption in the blank space provided in this section after “vi. Other”.

3d. Unbilled Access Lines: Any entities that receive lines from your company that you do not, or have not, billed during the remittance period should be listed in the space provided under “d. Unbilled Access Lines”.

3e. Total adjustments: This is the total number of lines listed under 3a - 3d.

4. Number of Lines/Instruments Subject to Surcharge: For this section, you should subtract the number of lines listed under “3e Total Adjustments” from “2. Total number of access lines/instruments billed and unbilled during report period”.

5. Current Surcharge per Line/Instrument: The amount of RSPF surcharge per line or instrument. The current RSPF surcharge amount is \$.09 per line/instrument begins January 1, 2009 to December 31, 2009. Note: PUC reviews the surcharge revenue



**OREGON PUBLIC UTILITY COMMISSION
GUIDELINES FOR – FORM 751
Residential Service Protection Fund (RSPF)**

each October to determine future rate changes; however, at any time during the year the Commission may notify companies to adjust the surcharge rate.

6. Surcharge Amount Due: This is the total amount of surcharge that should be remitted during the report period by calculating the lines listed under “4. Number of lines/instruments subject to surcharge” and multiplying these lines by the surcharge rate listed under “5. Current surcharge amount due”.

7. Final Report: If your company is no longer providing lines in Oregon after the reporting period, or is no longer a telecommunications provider, please check this box.

8. Signature/Date: The preparer, or preparer’s supervisor, must sign and date the form and provide a contact number to be reached in the event that the Commission has questions about the completed form.

9. Mailing Report and Payment: As indicated on form 751, all Reports and Payments need to be submitted to:

Oregon Public Utility Commission
RSPF
PO BOX 2153
Salem OR 97308-2153

All Checks MUST be made out to: Oregon Public Utility Commission.

