

OFFICE OF CABLE COMMUNICATIONS & FRANCHISE MANAGEMENT
ADMINISTRATIVE RULES – UTILITY FRANCHISE MANAGEMENT (“UFM”)

Draft November 4, 2009

UTIL-UFM 1.01 - Purposes

The purposes of these rules are to establish a uniform and consistent body of procedures, forms and written policies for carrying out the various franchising, licensing, permitting, revenue collection and enforcement activities of the Office of Cable Communications and Franchise Management (“OCCFM”) as assigned by the City Council and as provided in applicable City Code and Charter.

UTIL-UFM 1.02 - Authority

Authority for these rules is provided pursuant to Portland City Code (“PCC”) Chapter 3.114, PCC Chapter 7.14, and PCC Chapter 7.12.

UTIL-UFM 1.03 - Reporting Format and Documentation to accompany payments

All regular payments and remittances to OCCFM made pursuant to the Utility License Law (PCC 7.14), PCC 7.12, or pursuant to the provisions of any franchise, license or permit issued or administered by OCCFM shall be accompanied by a Report form provided by OCCFM as applicable by category of payer, with the accompanying documentation as set forth on each form, respectively, as applicable. This requirement does not apply to payments made pursuant to financial reviews, settlements, interest amounts, civil penalties or similar non-regular payments.

UTIL-UFM 1.04 - Scope of Application of PCC 7.14 to communications providers

All providers of wireline voice telephone and communications services to subscribers in the City of Portland, whether by means of provider-owned facilities or resale, including voice services delivered through the use of Internet Protocol, are required to obtain a Utility License by means of the application forms attached hereto Fees and payments shall be as provided in PCC 7.14.060, and shall be accompanied by the applicable reporting form, by category, provided under UTIL-UFM 1.03 hereof. The Utility License Law does not apply to wireless communications or telephone providers, nor to such providers paying compensation to the City on a linear foot basis under the terms of a valid franchise, license or permit

UTIL-UFM 1.05 – Settlement Reports

In connection with all financial settlements filed by OCCFM for review and action by the City Council, OCCFM shall cause to be filed a separate Settlement Report documenting the original amount at issue, the relevant legal and factual context, the criteria relied on in reaching the recommended settlement determination, the financial impact of the settlement on the City, and other pertinent factors in OCCFM’s discretion.