

**FILED**  
DEC 18 2015

**BEFORE THE CORPORATION COMMISSION OF OKLAHOMA**

COURT CLERK'S OFFICE - OKC  
CORPORATION COMMISSION  
OF OKLAHOMA

APPLICATION OF BRANDY L. WREATH, )  
DIRECTOR OF THE PUBLIC UTILITY DIVISION, )  
OKLAHOMA CORPORATION COMMISSION, ) CAUSE NO. PUD 201500466  
SEEKING TO ESTABLISH AN ANNUAL )  
ASSESSMENT FACTOR FOR THE OKLAHOMA )  
UNIVERSAL SERVICE FUND FOR THE FISCAL )  
YEAR BEGINNING JULY 1, 2016 )

**APPLICATION TO ESTABLISH OUSF ASSESSMENT FACTOR FOR THE FISCAL  
YEAR BEGINNING JULY 1, 2016**

COMES NOW, Brandy L. Wreath, Director of the Public Utility Division of the Oklahoma Corporation Commission (PUD), by and through the undersigned counsels, and states:

**I. PARTIES**

APPLICANT: Brandy L. Wreath  
Director, Public Utility Division  
Oklahoma Corporation Commission  
P.O. Box 52000  
Oklahoma City, OK 73152-2000

RESPONDENTS: All telecommunications carriers that may be obligated to contribute to the Oklahoma Universal Service Fund (OUSF) or Oklahoma Lifeline Fund (OLF) pursuant to the Oklahoma Telecommunications Act of 1997, at 17 O.S. §§139.105, 139.106, and 139.107.

**II. STATEMENTS OF FACT**

- 1. 17 O.S. §139.105 states in part:
  - B. There is hereby created within the Corporation Commission the "Oklahoma Lifeline Fund." The Commission shall administer and maintain the Oklahoma Lifeline Fund to help ensure that low-income Oklahomans are provided financial assistance in maintaining basic local exchange telecommunications service. Proceeds from the Oklahoma Lifeline Fund shall be distributed to all local

exchange telecommunications service providers who are required to file lifeline tariffs.

2. 17 O.S. §139.106 states in part:

A. There is hereby created within the Corporation Commission the "Oklahoma Universal Service Fund" (OUSF). Not later than January 31, 1998, the Corporation Commission shall promulgate rules implementing the OUSF so that, consistent with the provisions of this section, funds can be made available to eligible local exchange telecommunications service providers.

B. The fund shall be funded and administered to promote and ensure the availability of primary universal services, at rates that are reasonable and affordable and special universal services, and to provide for reasonably comparable services at affordable rates in rural areas as in urban areas. The OUSF shall provide funding to local exchange telecommunications service providers that meet the eligibility criteria established in this section.

C. The OUSF shall be funded by a charge paid by all telecommunications carriers as provided for in Section 7 of this act, at a level sufficient to maintain universal service.

3. 17 O.S. §139.107 states in part:

A. The Oklahoma Lifeline Fund and the Oklahoma Universal Service Fund shall be funded in a competitively neutral manner by all telecommunications carriers. The funding from each carrier shall be based on the total retail-billed Oklahoma intrastate telecommunications revenues, from both regulated and unregulated services, of the telecommunications carrier as a percentage of all telecommunications carriers' total retail-billed intrastate telecommunications revenues, from both regulated and unregulated services.

B. The Corporation Commission shall establish the Oklahoma Lifeline Fund charges and the Oklahoma Universal Service Fund charges at a level sufficient to recover costs of administration. The Commission shall provide for administration of the two funds by Commission employees or by contracting for such services with a party having no conflicting interest in the provision of telecommunications services. The administrative function shall be headed by an Administrator.

4. In compliance with the statutory provisions provided above, the Commission has enacted rules to annually adjust the contribution levels of the OUSF and OLF to ensure that the monetary reserves of each fund are maintained at a level sufficient to serve the intended purpose of each fund. The applicable Commission rule is OAC 165:59-3-13(a), to wit.

***The Commission shall initiate a docket to adjust the funding level, as necessary or on an annual basis,*** and bill the telecommunications carriers required to contribute to the fund under OAC 165:59-3-11. (emphasis added)

5. In accordance with OAC 165:59-3-13(a), PUD initiates the above styled and numbered cause in an effort to calculate and establish the appropriate annual assessment factor to fund the OUSF and OLF (OUSF Assessment Factor) for the fiscal year beginning July 1, 2016, and ending June 30, 2017.

6. To facilitate the processing of this Cause, information regarding hearings in the above styled and numbered cause will be made available on the Commission's website, located at [www.occeweb.com](http://www.occeweb.com).

### **III. LEGAL AUTHORITY**

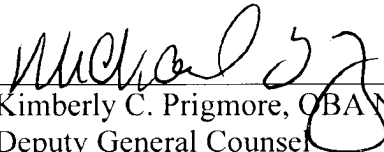
7. The Commission has jurisdiction and authority over the above styled and numbered cause pursuant to Article IX, Section 18 of the Oklahoma Constitution and 17 O.S. §139.105, *et seq.*

### **IV. RELIEF SOUGHT**

WHEREFORE, Applicant, Brandy L. Wreath, Director of the Public Utility Division, Oklahoma Corporation Commission, respectfully requests that the Commission issue an order establishing the annual OUSF Assessment Factor for the fiscal year beginning July 1, 2016, and ending June 30, 2017.

Dated: December 18, 2015

Respectfully submitted,

  
\_\_\_\_\_  
Kimberly C. Prigmore, OBA No. 21781  
Deputy General Counsel  
Michael L. Velez, OBA No. 19963  
Assistant General Counsel  
Lauren Fagala, OBA No. 31584  
Assistant General Counsel  
Jeff Kline, OBA No. 31119  
Assistant General Counsel  
Oklahoma Corporation Commission  
Post Office Box 52000  
Oklahoma City, Oklahoma 73152-2000  
Telephone: (405) 522-5930  
Facsimile: (405) 521-4150  
[k.prigmore@occcemail.com](mailto:k.prigmore@occcemail.com)  
[m.velez@occcemail.com](mailto:m.velez@occcemail.com)  
[l.fagala@occcemail.com](mailto:l.fagala@occcemail.com)  
[j.kline@occcemail.com](mailto:j.kline@occcemail.com)