BEFORE THE FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of Rural Call Completion	WC Docket No. 13-39

COMMENTS
OF
Colorado Telecommunications Association
Idaho Telecom Alliance
Montana Telecommunications Association
Oklahoma Telephone Association
Oregon Telecommunications Association
Washington Independent Telecommunications Association

May 13, 2013

SUMMARY

The State Associations that are participating in these Comments welcome the action of the Federal Communications Commission (Commission) addressing the issue of rural call completion. This is an extremely important and highly significant issue affecting consumers in rural areas of America. Those consumers are facing economic losses, communication gaps and even health and safety concerns as a result of rural call completion problems. Any and all possible remedies for the rural call completion problem should be addressed at the earliest possible time. This includes taking enforcement action, where appropriate, in addition to adopting the reporting rules discussed in the Notice of Proposed Rulemaking (NPRM).

The State Associations consist of the Colorado Telecommunications Association, the Idaho Telecom Alliance, the Montana Telecommunications Association, the Oklahoma Telephone Association, the Oregon Telecommunications Association and the Washington Independent Telecommunications Association. The members of each of these Associations are set out in Exhibit 1.[1]

The State Associations support the adoption of reporting rules as a step to address rural call completion problems. However, the State Associations believe the proposed threshold of 100 calls per month is too high. Further, the proposed 100,000 customer base standard is also too high. For the customer base, a 10,000 customer base standard is more appropriate. For reasons that are set out below, these thresholds should be lower. For reporting purposes, the State Associations propose a five and ten call per month standard based on the size of the called rural carrier.

[1] The Century Link entities and the Frontier entities listed in Exhibit 1 are not participating in these comments.

The State Associations support one of the two safe harbors proposed by the Commission (with a change), and request that the Commission not adopt the safe harbor that is proposed related to the percentage of calls that are made to rural areas labeled by the Commission as the "Monitoring Performance Safe Harbor."[2] Allowing a safe harbor that is premised, at least in part, on completing calls below the average rural call answer rate only perpetuates the poor performance that is today's experience in calling to rural America. For this reason, the State Associations cannot support the creation of the second safe harbor.

The State Associations also support the ring signaling integrity requirements as proposed by the Commission.

Since call completion problems continue at a significant rate, the State Associations also recommend to the Commission that the Commission consider adopting further substantive standards such as those adopted by the Oregon Public Utility Commission (OPUC). The OPUC rules are attached as Exhibit 2.

[2] FCC 13-18 at ¶ 35.

COMMENTS
I. BACKGROUND

In the NPRM, the Commission states: "There is ample evidence that rural call completion problems are widespread and serious."[3] The Commission accurately describes the problem as follows:

> Completion rates of long-distance calls to rural telephone company service areas are frequently poor, even where overall performance of the intermediate provider appears acceptable. The problems manifest themselves in lengthy periods of dead air on the calling party's end after dialing a number, audible ringing tones on the calling party's end when the called party's telephone never rings at all, false busy signals, inaccurate intercept messages, and the inability of one or both parties to hear the other when the call does go through. This causes rural businesses to lose customers, cuts families off from their relatives in rural areas, and creates potential for dangerous delays in public safety communications in rural areas. [footnotes omitted][4]

The State Associations can confirm to the Commission that the described situation still exists and that the problem of rural call completion remains a very major concern.

The Commission goes on to cite to evidence of the rural call completion problem provided by national associations representing rural carriers. As set out by the Commission, the evidence is as follows:

> As evidence of the problem, rural associations report that rate-of-return carriers serving rural areas are reporting an alarming increase in complaints from their customers stating that long-distance calls and faxes are not reaching them or that call quality is poor. Indeed, these rural associations state that 80 percent of rural carriers responding to one survey reported problems, and rural customer reports of problems receiving calls increased by more than 2000 percent in the twelve-month period from April 2010 to March 2011. In May 2012, the rural associations conducted a second call-completion study based on over 7400 call

[3] FCC 13-18 at ¶ 13.
[4] FCC 13-18 at ¶ 2.

> attempts and reported that, while there was some improvement in rural areas from 2011 to 2012, the incompletion rate in rural areas was still 13 times higher in rural areas than in nonrural areas. In November 2012, a third survey of rural carriers indicated that the problems with completing calls rural areas were continuing at an alarming rate. [footnotes omitted][5]

Again, the State Associations can confirm that the evidence provided to the Commission by the national rural associations still represents what is occurring in rural America. This is why the rulemaking is urgently needed.

For a long time, the Commission has informed interexchange carriers that they may not block, choke, reduce, or restrict traffic in any way.[6] Through the Wireline Competition Bureau, the Commission has adopted a Declaratory Ruling concerning blocking, choking, reducing, or restricting traffic related to the rural call completion issue.[7] However, despite this consistent position from the Commission and the Declaratory Ruling, the problem continues. While rules will help, appropriate enforcement action against one or more interexchange carriers will also help. On this point, the State Associations congratulate the Commission on its recent consent decree to resolve rural call completion problems with Level 3.[8] The creation of "rigorous, verifiable call completion standards"[9] coupled with the significant "voluntary contribution"[10] by Level 3 is precisely the type of action that was and continues to be needed.

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[5] FCC 13-18 at ¶ 5.
[6] Establishing Just and Reasonable Rates for Local Exchange Carriers; Call Blocking by Carriers, WC Docket No. 07-135, Declaratory Ruling and Order, 22 FCC Rcd. 11629 (WCB 2007).
[7] 2012 Declaratory Ruling, 277 FCC Rcd. 1351.
[8] In the Matter of Level 3 Communication, File No.: EB-12-IH-0087, Consent Decree, DA 13-371 (rel. March 12, 2013)
[9] News Release, March 12, 2013
[10] Ibid

Ironically, the action taken against Level 3, has, according to anecdotal evidence, resulted in an uptick in call completion problems. This appears to be caused by the fact that as Level 3 enforces its agreement with the Commission, some carriers are shifting to least cost routing entities that are not currently subject to a Commission enforcement action. This points to the need for the Commission maintaining diligent enforcement and taking swift action against those companies that are causing the rural call completion problems.

II. THE COMMISSION'S PROPOSED RULES SHOULD BE ADOPTED WITH MODIFICATIONS AND WITH CHANGES TO THE PROPOSED SAFE HARBORS

Against the background of what the Commission has correctly labeled as a serious rural call completion problem and building on the Commission's prior actions, the Commission is now proposing the adoption of additional rules to address rural call completion problems. The first of these proposed rules relates to reporting, record keeping and retention requirements regarding the call answer rate for traffic terminating in rural company territories.[11] The State Associations support the proposed reporting, record keeping and retention requirements. However, because of the seriousness of the problem, the State Associations urge adoption of lower retention and reporting thresholds than the level proposed by the Commission.

The State Associations support the proposed monthly measurement and quarterly reporting intervals. These reporting requirements do not appear to be overly burdensome and appear to be a needed step to develop an empirical understanding of the problem of rural call

[11] See, e.g., the discussion beginning at ¶ 20 of FCC 13-18.

completion. As a result, the State Associations support adoption of the proposed requirements set out on paragraph 22 of the NPRM.[12]

1. Threshold Standards Should Not be Lenient.

The Commission seeks input on whether the proposed one hundred call threshold is appropriate and whether the threshold should be tied to the provider's overall number of call attempts. The Commission also asks questions about how the measurements should occur.[13] The proposed 100 call per month threshold is overly lenient. The problem of rural call completion exists in very small exchanges as well as very large exchanges. A 100 call per month threshold would mean that areas where the rural call completion problem exists—perhaps to the greatest extent—would be eliminated from the reporting requirement. This would result in the painting of a picture that suggests the problem of rural call completion is less serious than it really is. For example, take the case of a company serving 500 customers in one exchange. Assume that there are four interexchange carriers each of which has 50 uncompleted calls to that exchange a month. That is 200 missed calls a month! Yet, it would appear from the reporting that a call completion problem does not exist in that exchange. It is simply the case that calling to a rural company exchange that has four or five hundred customers would probably not meet the 100 call per month threshold.[14] Yet, the rural call completion problem is just as serious in those small exchanges as it is in a rural exchange with ten thousand customers. The State Associations would prefer to see every call included in the reporting requirements. However, if a threshold is needed, then the State Associations suggest that if a rural carrier has one thousand

[12] FCC 13-18 at ¶ 22.
[13] FCC 13-18 at ¶ 21.
[14] Reporting by OCN does not change the probable outcome since many small companies only serve one or two exchanges.

or more customers, a threshold of ten calls per month could be used and, if the rural carrier has less than a thousand customers, a threshold of five calls per month should be adopted.

In the Notice of Proposed Rulemaking, the Commission proposes that the reporting and record keeping requirements apply only to those originating long-distance providers and other covered providers with more than one hundred thousand retail long-distance subscribers.[15] The State Associations are concerned that this threshold is too high. The State Associations urge that the Commission consider moving the threshold down to ten thousand retail long-distance subscribers, business and residential combined. The rural call completion problem is so significant the that Commission should not err on the side of generosity in gathering the data to address this problem and the creation of reports that can lead to effective enforcement action.

2. Only Minimal Safe Harbors Should be Included.

As exceptions to the record keeping and reporting requirements the Commission proposes two safe harbors. The first of these safe harbors is labeled the "Managing Intermediate Provider Safe Harbor." Under this safe harbor, the provider is released from call completion data retention and reporting requirements if it certifies on an annual basis that it restricts by contract directly connected intermediate providers to no more than one additional intermediate provider in the call path before the call reaches the terminating provider.[16] It is a little difficult to determine precisely what is meant by this safe harbor. However, it appears that what the Commission is proposing is that there can be two intermediate providers in addition to the originating interexchange carrier in the call flow. The State Associations believe that is one too

[15] FCC 13-18 at ¶ 31.
[16] FCC 13-18 at ¶ 33.

many carriers in the call stream for a safe harbor. A safe harbor where there is one intermediate provider (i.e. one additional carrier besides the originating interexchange carrier) appears to be a reasonable safe harbor, provided there is a sufficient contractual process in place to ensure that the intermediate provider can ensure the successful termination of all traffic that it carries. The State Associations note that the use of only one intermediate provider appears to be the practice followed by AT&T (and that AT&T closely monitors the traffic it sends to its intermediate carriers to ensure that the carriers properly terminate traffic referred to them). The State Associations are willing to represent that there are relatively fewer call completion problems when the originating carrier is AT&T. This may be the result of having just the one additional intermediate provider in the calling stream, or it could (more likely) be the result of the contractual relationship AT&T has which requires its intermediate carriers to complete calls. Thus, it would appear from practice that a safe harbor that has one intermediate provider in the call stream is appropriate. However, there does not appear to be sufficient evidence to support the use of two intermediate providers as leading to a safe harbor. The more intermediate carriers involved in a call path simply increases the likelihood that calls completion may fail.

The additional safe harbor proposed by the Commission is called the "Monitoring Performance Safe Harbor."[17] As set out in the Notice of Proposed Rulemaking, the safe harbor would be available if the provider can certify on an annual basis that for each of the twelve previous months "the average call answer rate for all rural carriers to which the provider attempted more than 100 calls in a month was no more than 2 percent less than the average call answer rate for all calls it placed to nonrural carriers in the same month, and the call answer rates for 95 percent of those rural carriers to which the provider attempted more than 100 calls were

[17] FCC 13-18 at ¶ 35.

no more than 3 percent below the average rural call answer rate."[18] This safe harbor relieves the originating carrier from the reporting requirement and reduces the record keeping requirement to three months. The problem that the State Associations see with the proposed safe harbor is that because of existing rural call completion problems, the average rural call answer rate is today at a level that is below where it should be. To then allow a carrier to have a safe harbor that is less than the existing average rural call answer rate is taking a step that will perpetuate the problem rather than alleviate the problem. This safe harbor should not be adopted.

If the safe harbor is adopted, then the question is raised as to why the standard for completion to rural areas should be less than the call completion to non-rural carriers. If a safe harbor is adopted, the standard should be that the call completion rate is the same for rural areas as it is for non-rural areas.

3. The rules should not automatically terminate.

Under paragraph 38 of the NPRM,[19] the Commission asks if these rules should sunset when the USF/ICC Transformation Order is fully implemented. The State Associations do not believe that these rules should automatically sunset. Instead, the Commission should seek additional comment at that point. It should not be assumed that the rural call completion problem will simply vanish if the USF/ICC Transformation Order is fully implemented. To the State Associations, that is an unrealistic assumption.

[18] FCC 13-18 at ¶ 35.
[19] FCC 13-18 at ¶ 38.

III. THE COMMISSION'S PROPOSED RING SIGNALING REQUIREMENTS SHOULD BE ADOPTED.

In addition to the rules related to reporting, record keeping and retention, the Commission is proposing adoption of a rule that would prohibit premature audible ringing.[20] With the use of the false audible ringing, the originating caller hears prolonged ringing and, as a result, hangs up before the phone of the party that has been called has rung at all. As pointed out by the Commission, this premature audible ringing departs from long established telephony signaling practice.[21] Because end user expectations are that audible ringing indicates that the terminating provider has affirmatively signaled that the called line is free and the called party is being alerted, excessive ringing leads the calling party to believe that the called party is not available and the calling party terminates the call. As noted by the Commission, this decision by some providers to "deviate from traditional industry practice is likely to harm consumers in rural areas."[22] The State Associations agree. Therefore, the State Associations support the Commission's proposal to adopt a new rule that would prohibit both originating and intermediate providers from causing audible ringing to be sent to the caller before the terminating provider has signaled that the called party is being alerted.

IV. ENFORCEMENT ACTION IS NEEDED

In the 2012 Declaratory Order, the Wireline Competition Bureau took clear action to signal that continued rural call completion failures were a serious problem and that those practices that led to the problem needed to be discontinued. However, the practices have

[20] FCC 13-18 at ¶ 39.
[21] FCC 13-18 at ¶ 40.
[22] FCC 13-18 at ¶ 41.

continued. It is strong enforcement action, such as the recently announced Level 3 consent decree, that will most likely lead to a cure for the rural call completion problem.

V. OTHER ACTIONS

In addition, as noted by the Commission, the Oregon Public Utility Commission recently adopted additional conditions requiring certificate holders operating in Oregon to take reasonable steps to ensure that the certificate holder does not adopt or perpetuate intrastate routing practices that result in lower-quality service to an exchange with higher terminating access rates.[23] The State Associations request that the Commission take under serious consideration the possible adoption of substantive standards similar to those adopted by the Oregon Commission.

VI. CONCLUSION

As the Commission rightfully points out, rural call completion problems are very serious. These problems even threaten the health and safety of rural consumers, as well as causing economic problems and disrupting social communications. Action is urgently needed. The Commission should adopt its proposed rules, as modified as set forth in these Comments as soon as possible. In addition, the Commission should take swift enforcement action against interexchange carriers that either themselves or through contractual sub-carriers continue to create rural call completion problems.

COLORADO TELECOMMUNICATIONS ASSOCIATION

By: _____
Pete Kirchhof, Executive Vice President

[23] FCC 13-18 at ¶ 12.

IDAHO TELECOM ALLIANCE

By: */s/ Kate A. Creswell*
Kate A. Creswell, Executive Director

MONTANA TELECOMMUNICATIONS ASSOCIATION

By: _____
Geoffrey A. Feiss, General Manager

OKLAHOMA TELEPHONE ASSOCIATION

By: _____
Jeff Handley, President

OREGON TELECOMMUNICATIONS ASSOCIATION

By: _____
Brant Wolf, Executive Vice President

WASHINGTON INDEPENDENT
TELECOMMUNICATIONS ASSOCIATION

By: _____
Betty S. Buckley, Executive Director

EXHIBIT 1

Colorado Telecommunications Association

Agate Mutual Telephone Cooperative Association
Big Sandy Telecom, Inc. d/b/a Fairpoint Communications, Inc.
The Blanca Telephone Company
Columbine Telecom Company d/b/a Fairpoint Communications, Inc.
Delta County Tele-Comm, Inc. d/b/a TDS Telecom
Dubois Telephone Exchange, Inc.
Eastern Slope Rural Telephone Association, Inc.
Fairpoint Communications, Inc.
Farmers Telephone Company, Inc.
Haxtun Telephone Company
Nucla-Naturita Telephone Co.
Nunn Telephone Company
Peetz Co-operative Telephone Company
Phillips County Telephone Company
Pine Drive Telephone Company
Plains Cooperative Telephone Association, Inc.
Rico Telephone Company
Roggen Telephone Cooperative Company
The Rye Telephone Company
South Park Telephone Company
The Stoneham Cooperative Telephone Corporation
Strasburg Telephone Company d/b/a TDS Telecom
Sunflower Telephone Company, Inc. d/b/a Fairpoint Communications, Inc.
TDS Telecom
Union Telephone company
Wiggins Telephone Association
The Willard Telephone Company

Idaho Telecom Alliance

ATC Communications
CTC Telecom
Custer Telephone Cooperative
Direct Communications
Farmers Mutual Telephone Company
Filer Mutual Telephone Company
Fremont Communications d/b/a FairPoint Communications, Inc.
Inland Telephone Company
MTE Communications
Oregon-Idaho Utilities
Project Mutual Telephone Cooperative Association, Inc.
Rural Telephone Company
Silver Star Communications

Montana Telecommunications Association

3 Rivers Communications
Blackfoot Telephone Cooperative
CenturyLink of Montana
Lincoln Telephone Company
Range Telephone Cooperative
Southern Montana Telephone Co.

Oklahoma Telephone Association

Atlas Telephone Company, Inc.
Beggs Telephone Company, Inc.
BTC Broadband
Canadian Valley Telephone Company
Carnegie Telephone Company, Inc.
Central Oklahoma Telephone Company
Cherokee Telephone Company
Chickasaw Telephone Company
Chouteau Telephone Company d/b/a Fairpoint Communications, Inc.
Craw-Kan Telephone Cooperative Association, Inc.
Dobson Telephone Company, Inc.
Epic Touch Company
Grand Telephone Company, Inc.
Hinton Telephone Company, Inc.
KanOkla Networks
Mcloud Telephone Company
Medicine Park Telephone Company
Mid-America Telephone Company d/b/a TDS Telecom
Oklahoma Communication Systems, Inc. d/b/a TDS Telecom
Oklahoma Telephone & Telegraph, Inc.
Oklahoma Western Telephone Company
Ozark Telephone Company
Panhandle Telephone Cooperative, Inc.
Pinnacle Communications
Pioneer Telephone Cooperative, Inc.
Santa Rosa Telephone Cooperative, Inc.
Seneca Telephone Company
Shidler Telephone Company
South Central Telephone Association, Inc.
Southwest Oklahoma Telephone Company
Terral Telephone Company
Totah Communications, Inc.
Valliant Telephone Company
Wyandotte Telephone Company d/b/a TDS Telecom

Oregon Telecommunications Association

Asotin Telephone Company d/b/a TDS Telecom
Beaver Creek Cooperative Telephone Company
CAL-ORE Communications
Canby Telephone Association d/b/a Canby Telecom
Cascade Utilities, Inc., d/b/a Reliance Connects
CenturyTel of Oregon, Inc., d/b/a CenturyLink
CenturyTel of Eastern Oregon, Inc., d/b/a CenturyLink
Clear Creek Mutual Telephone Company
Colton Telephone Company, d/b/a ColtonTel
Douglas Fast Net
Eagle Telephone System, Inc
Eastern Oregon Telecom, LLC
Frontier Communications Northwest, Inc
Gervais Telephone Company
Helix Telephone Company
Home Telephone Company d/b/a TDS Telecom
McMinnville Access Company
MINET
Molalla Communications, Inc. d/b/a Molalla Communications
Monitor Cooperative Telephone Company
Monroe Telephone Company
Mt. Angel Telephone Company
Nehalem Telecommunications, Inc., d/b/a RTI Nehalem Telecom
North-State Telephone Co
Oregon-Idaho Utilities, Inc
Oregon Telephone Corporation
People's Telephone Co
Pine Telephone System, Inc
Pioneer Telephone Cooperative
Roome Telecommunications Inc
St. Paul Cooperative Telephone Association
Scio Mutual Telephone Association
Stayton Cooperative Telephone Company
Trans-Cascades Telephone Company, d/b/a Reliance Connects
Warm Springs Telecom

Washington Independent Telecommunications Association

Asotin Telephone Company d/b/a TDS Telecom
CenturyTel of Cowiche, Inc., d/b/a CenturyLink
CenturyTel of Inter-Island, Inc., d/b/a CenturyLink
CenturyTel of Washington, Inc., d/b/a CenturyLink
Ellensburg Telephone Company d/b/a FairPoint Communications
Frontier Communications Northwest, Inc.
Hat Island Telephone Company

Hood Canal Telephone Co., Inc. d/b/a Hood Canal Communications
Inland Telephone Company
Kalama Telephone Company
Lewis River Telephone Company, Inc. d/b/a TDS Telecom
Mashell Telecom, Inc. d/b/a Rainier Connect
McDaniel Telephone Co. d/b/a TDS Telecom
Pend Oreille Telephone Company, d/b/a RTI Pend Oreille Telecom
Pioneer Telephone Company
St. John Co-operative Telephone and Telegraph Company
Skyline Telecom, Inc.
Tenino Telephone Company
The Toledo Telephone Co., Inc.
Western Wahkiakum County Telephone Company d/b/a Wahkiakum West
Whidbey Telephone Company
YCOM Networks, Inc. d/b/a FairPoint Communications

EXHIBIT 2

ORDER NO. 12 478

860-032-0007
Conditions of Certificates of Authority

A certificate to provide telecommunications service ~~shall be~~is subject to the following conditions:

(1) The certificate holder ~~shall~~must provide only the telecommunications service authorized in the certificate.

(2) A telecommunications utility ~~shall~~may not abandon service except as authorized under the Commission's rules.

(3) For telecommunications utilities, the records and books of the certificate holder are open to inspection by the Commission, and ~~shall~~must be maintained according to the Commission's rules.

(4) For competitive providers and cooperatives, the books and records of the certificate holder ~~shall~~must be open to inspection by the Commission to the extent necessary to verify information required of the certificate holder. The books and records ~~shall~~must be maintained according to the applicable rules of the Commission.

(5) The certificate holder ~~shall~~must pay all access charges and subsidies imposed pursuant to the Commission's rules, orders, tariffs, or price lists.

(6) The certificate holder involved in the provision of an operator service ~~shall~~must:

(a) Notify all callers at the beginning of each call of the telecommunications provider's name; however, a telecommunications provider furnishing operator service for another telecommunications provider may brand the call by identifying the other provider;

(b) Disclose rate and service information to the caller when requested;

(c) Maintain a current list of emergency numbers for each service territory it serves;

(d) Transfer an emergency call to the appropriate emergency number when requested, free of charge;

(e) Transfer a call to, or instruct the caller how to reach, the originating telecommunications utility's operator service upon request of the caller, free of charge;

(f) Not transfer a call to another operator service provider without the caller's notification and consent;

(g) Not bill or collect for calls not completed to the caller's destination telephone number; and

(h) Not screen calls and prevent or block the completion of calls which would allow the caller to reach an operator service company different from the certificate holder. In addition, the certificate holder shall, through contract provisions with its call aggregator clients, prohibit the blocking of a caller's access to his or her operator service company of choice. A certificate holder may apply for a waiver from this requirement if necessary to prevent fraudulent use of its services.

(7) Telecommunications providers who enter into operator service contracts or arrangements with call aggregators ~~shall~~must include in those contracts or arrangements provisions for public notification as follows:

(a) A sticker or name plate identifying the name of the certificate holder ~~shall~~must be attached to each telephone available to the public; and

(b) A brochure, pamphlet, or other notice ~~shall~~must be available in the immediate vicinity of the telephone giving the name of the operator service provider, stating that rate quotes are available upon request, listing a toll-free telephone number for customer inquiry, and giving instructions on how the caller may access other operator service providers.

(8) Competitive providers may contract with telecommunications utilities, other competitive providers, or other persons for customer billing and collection under the following conditions:

(a) The telecommunications utility, other competitive provider, or other person, in billing for the competitive provider, ~~shall~~**must** include on the bill the name of a company with the information and authority to provide information and resolve disputes about billing entries, a toll-free number to reach that company, and details of the services and charges billed;

(b) The telecommunications utility ~~shall~~**may** not deny telecommunications service to customers for failure to pay charges for competitive provider services or unregulated utility services.

(9) The certificate holder ~~shall~~**must** comply with Commission rules and orders applicable to the certificate holder.

(10) The certificate holder ~~shall~~**may** not take any action that impairs the ability of other certified telecommunications providers to meet service standards specified by the Commission;

(11) The certificate holder ~~shall~~**must** respond in a timely manner to Commission inquiries.

(12) The certificate holder ~~shall~~**must** submit required reports in a timely manner.

(13) The certificate holder ~~shall~~**must** notify the Commission of changes to the certificate holder's name, address, or telephone numbers within ten days of such change.

(14) Telecommunications providers ~~shall~~**must** meet service standards set forth in applicable Commission's rules, including OAR 860-032-0012.

(15) The certificate holder ~~shall~~**must** timely pay all Commission taxes, fees, or assessments adopted pursuant to Oregon law or Commission rules, orders, tariffs or price lists.

(16) Except as otherwise allowed under state or federal law, the certificate holder must not block, choke, reduce or restrict intrastate traffic in any way.

(17) The certificate holder must take reasonable steps to ensure that it does not adopt or perpetuate routing practices that, except as otherwise allowed under state or federal law, result in lower quality service to an exchange with higher terminating access rates than like service to an exchange with lower terminating access rates.

(a) Reasonable steps include:

(A) Not engaging in deceptive or misleading practices including but not limited to informing a caller that a number is not reachable or is out of service when the number is in fact reachable and in service.

(B) Ensuring that the actions of any underlying carrier, if that underlying carrier is an agent, contractor or subcontractor of or employed by the certificate holder and acting within the scope of the person's employment, used to deliver traffic on behalf of the certificate holder would not put the certificate holder in violation of any Commission rule.

(b) The certificate holder is liable for the actions of an underlying carrier used to deliver traffic on behalf of the certificate holder, if that underlying carrier is an agent, contractor or subcontractor of or employed by the certificate holder and acting within the scope of the person's employment and the certificate holder knew or should have known of the underlying carrier's actions and engages in acts or omissions that effectively allow those actions to persist.