

Enrolled Senate Bill 41

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CHAPTER

AN ACT

Relating to assistance for low income telephone customers; amending section 6, chapter 290, Oregon Laws 1987.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 6, chapter 290, Oregon Laws 1987, as amended by section 1, chapter 622, Oregon Laws 1991, is amended to read:

Sec. 6. (1) In carrying out the provisions of section 2, chapter 290, Oregon Laws 1987, the Public Utility Commission shall establish a plan to provide assistance to low income customers through differential rates or otherwise. The plan of assistance shall be designed to use, to the maximum extent possible, the available funding offered by the Federal Communications Commission, and may provide different levels of assistance to low income customers based upon differences in local exchange rates. The plan established by the commission shall prescribe the amount of assistance to be provided and the time and manner of payment.

(2) For the purpose of establishing a plan to provide assistance to low income customers under this section, the commission shall require all public utilities, cooperative corporations[,] and unincorporated associations providing local exchange telecommunication service to participate in the plan, except as provided in subsection (3) of this section.

(3) In lieu of participation in the commission's plan to assist low income customers, a public utility, cooperative corporation[,] or unincorporated association providing local exchange telecommunication service may apply to the commission to establish an alternative plan for the purpose of carrying out the provisions of section 2, chapter 290, Oregon Laws 1987, for its own customers. The commission shall adopt standards for determining the adequacy of alternative plans.

(4) The commission may contract with any governmental agency to assist the commission in the administration of any assistance plan adopted pursuant to this section.

(5)(a) As used in sections 2 to 6, chapter 290, Oregon Laws 1987, "low income customer" means an individual determined by the commission:

(A) To be receiving benefits from the federal food stamp program or from another low income public assistance program for which eligibility requirements **limit participation to individuals with income that does** [do] not exceed 135 percent of [*the poverty level. The commission must be able to verify the individual's continuing participation in the qualifying program.*] **federal poverty guidelines; or**

(B) To be a resident of a long term care facility, as defined in ORS 442.015, or a residential care facility, as defined in ORS 443.400:

- (i) Who receives medical assistance under ORS chapter 414; and**
- (ii) Who has income that does not exceed 135 percent of federal poverty guidelines.**

(b) The commission must be able to verify the continuing participation of a low income customer in a program described in paragraph (a) of this subsection.

Passed by Senate March 5, 2007

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Secretary of Senate

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President of Senate

Passed by House March 27, 2007

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Speaker of House

Received by Governor:

.....M,....., 2007

Approved:

.....M,....., 2007

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Governor

Filed in Office of Secretary of State:

.....M,....., 2007

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Secretary of State