

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

CENTURYLINK COMMUNICATIONS,  
LLC d/b/a LUMEN TECHNOLOGIES  
GROUP; QWEST CORPORATION;  
CENTURYTEL of WASHINGTON, INC.;  
CENTURYTEL of INTER ISLAND, INC.;  
CENTURYTEL of COWICHE, INC.;  
UNITED TELEPHONE COMPANY of the  
NORTHWEST,

Respondents.

DOCKET UT-240078

COMMISSION STAFF’S MOTION  
TO AMEND POST-HEARING BRIEF  
PURSUANT TO WAC 480-07-395(5)

**I. INTRODUCTION**

Pursuant to WAC 480-07-395(5) and WAC 480-07-375, Staff of the Washington Utilities and Transportation Commission (Commission) files this motion for leave to amend Staff’s post-hearing brief filed in this docket on October 14, 2024.

**II. APPLICABLE LAW**

WAC 480-07-375 and WAC 480-07-395(5).

**III. RELIEF REQUESTED**

Commission Staff (Staff) respectfully requests that the Commission permit Staff to revise its post-hearing brief to correct a misstatement regarding a penalty assessment imposed on CenturyLink in a separate docket.

**IV. STATEMENT OF FACTS**

On October 14, 2024, Staff filed its post-hearing brief in this case, which concerns a complaint against CenturyLink for penalties related to the Company’s violation of

Commission rules. Staff's brief included a short discussion comparing the regulatory violations at issue here with those at issue in a prior case involving CenturyLink, Docket UT-181051. Staff's brief states that, unlike in the present case, in Docket UT-181051 "the Commission was limited by statute to a penalty of \$500 or less for [the] violations."<sup>1</sup> This statement was made in error and is not accurate.

## **V. STATEMENT OF ISSUES**

5           Should the Commission permit the amendment of Staff's post-hearing brief to omit the misstatement?

## **VI. ARGUMENT**

6           The Commission's procedural rule on pleadings supports amending the brief as proposed. The rule states that the "commission may allow amendments to pleadings, motions, or other documents on such terms as promote fair and just results."<sup>2</sup>

7           The Commission should permit the proposed revision to Staff's brief because doing so promotes fair and just results. Fair and just results require that misstatements made in legal arguments be corrected as soon as possible so that the Commission may fairly adjudicate the case upon fair and accurate statements of the issues involved. Staff has moved to correct its brief as soon as it was made aware of the included misstatement and only seeks to delete the incorrect sentence for accuracy.

## **VII. CONCLUSION**

8           For the foregoing reasons, Staff requests that the Commission grant its motion for leave to amend its post-hearing brief filed on October 14, 2024 as proposed.

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<sup>1</sup> *Wash. Utils & Transp. Comm'n v. CenturyLink*, Docket UT-240078, Post-Hearing Brief of Commission Staff at 11, ¶ 23 (October 14, 2024).

<sup>2</sup> WAC 480-07-395(5).

DATED this 16th day of October 2024.

Respectfully submitted,

ROBERT W. FERGUSON  
Attorney General

/s/ Liam Weiland

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Liam Weiland WSBA #57197  
Assistant Attorney General  
Office of the Attorney General  
Utilities and Transportation Division  
P.O. Box 40128  
Olympia, WA 98504-0128  
(360) 972-5050  
Liam.Weiland@atg.wa.gov