**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

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| Washington Utilities and Transportation Commission,  Complainant,  v.  CENTURYTEL OF INTER ISLAND, INC. D/B/A CENTURYLINK,  Respondent. | DOCKET UT-132234  PETITION FOR CLARIFICATION |

1. CenturyTel of Inter Island, Inc. d/b/a CenturyLink (“CenturyLink”) hereby files this petition for clarification pursuant to WAC 480-120-835. Century link seeks clarification of one aspect of the Commission’s Final Order Accepting Settlement Agreement with Conditions, Order 03 entered on October 20, 2015.
2. There is a potential ambiguity introduced by the language in paragraphs 51 and 55 regarding the suspended penalty. Paragraph 55 in the “Ordering” portion of Order 03 is set forth below.

The remaining $123,210 penalty will be suspended for one year following the Commission’s approval of both Emergency Communications Plans. If, during that annum, the Commission has not found CenturyLink to have violated either WAC 480-120-412 or the details of the emergency communications plan, the $123,210 will be waived. Conversely, if the Commission finds the Company has violated WAC 480-120-412 or the details of the emergency communications plan during the year following Commission approval of the Emergency Communications Plans, the Commission will impose the remaining $123,210 penalty.

1. The ambiguity is whether the penalty will be triggered based on the timing of a Commission finding of a violation, or based on when that violation actually occurred. CenturyLink seeks clarification that this provision is meant to apply only to violations that might occur after the submission of the Emergency Communications Plans, and not to violations that may be found during the upcoming year based on prior conduct.
2. Specifically, CenturyLink calls the Commission’s attention to the Settlement Agreement filed in Docket No. UT-140597. In that agreement, for purposes of settlement, CenturyLink has stipulated to violations of WAC 480-120-412. CenturyLink does not believe that it was the Commission’s intent to automatically impose the additional penalty in this docket based on those admissions. Rather, it seems that the Commission’s intent is to deter future violations and encourage compliance with the rule and the Emergency Communications Plans.
3. CenturyLink thus seeks clarification that paragraphs 51 and 55 of Order 03 will operate only prospectively, and will apply only to conduct subsequent to the date of the Order. CenturyLink has been authorized by Commission Staff and the Office of Public Counsel to state that they agree that the suspended penalty should be forward looking and not affected by the ultimate resolution – or by CenturyLink’s agreement to violations – in Docket UT-140597.

Respectfully submitted this 30th day of October, 2015.

CENTURYLINK

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