



STATE OF WASHINGTON  
MILITARY DEPARTMENT  
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May 19, 2017

Steven King  
Executive Secretary  
Utilities and Transportation Commission  
PO Box 47250  
Olympia, WA 98504-7250

RE: CenturyLink-Level 3 Merger  
Docket #UT-170042  
May 25, 2017 hearing

Dear Mr. King:

As the Enhanced 911 (E911) Coordinator for the Washington State Military Department (MIL), I have previously filed a notice as an interested party in this matter. Please accept this letter as comment on the proposed settlement agreement for the CenturyLink and Level 3 Communications merger application currently before the Commission. As the Commission knows, CenturyLink is the current E911 service network provider in the state of Washington and has been for many years. I send this letter in my capacity as the State E911 Coordinator and representing the interests of the counties that provide E911 services in this state and the citizens who rely upon those services.

While the State Office does not oppose this merger, we have strong concerns about the merger commencing at this particular point in time.

In August of 2015, MIL and CenturyLink entered into an amendment to its contract to address the possibility that the State would procure E911 services or "next generation" 911 (NG911) services from a network provider other than CenturyLink, which included a commitment that CenturyLink would provide all services, information and data to effectuate an orderly and seamless transition to such new network provider and an agreement on rates for such services. In July of 2016, MIL entered into a contract with a new E911/NG911 network provider (not CenturyLink) and has been attempting to transition the existing CenturyLink E911 network to the new NG911 network ever since.

Despite the transition services amendment signed by CenturyLink, the transition process has not been orderly, smooth or timely. In fact, the transition is already significantly delayed (which will deprive the users of 911 services of the important safety features of the new NG911 network) and may cost the State much more than anticipated or agreed. CenturyLink is currently insisting on an additional



transition agreement (known as Amendment M) which includes new and much higher fees (*i.e.*, from 2x to 5x the rates set forth in the existing transition services amendment), new liability provisions and a separate contract with the new E911/NG911 services provider for usage of our existing Address Location Information (ALI) database.

MIL is willing to enter into an Amendment M as a compromise to prevent further delay in the transition and protect the end users of 911 services, but attempting to reach agreement has led to long and costly delays. To date the parties have not finalized Amendment M or any agreement over the ALI database usage and so the transition of these vital services has not moved forward. It appears to MIL and the State Office that the CenturyLink-Level 3 merger has shifted CenturyLink's focus away from the E911 network transition and that it has little incentive to resolve the transition issues in a timely or cost effective manner.

The State Office is very concerned that once the merger is approved, CenturyLink will further turn its focus to its new business (and the huge number of issues normally present in a merger of this size and complexity) and remove any incentive to complete a timely transition of the E911 network. The State Office worked with the Public Counsel Unit in this matter to request the inclusion of conditions in the settlement that would address some of the State Office's concerns, including a request that the merger not be approved until Amendment M is finalized by the parties. While some of the requested conditions were included, it is my understanding that the finalization of Amendment M prior to approval was not one of them.

Therefore, the State Office respectfully requests that the Commission withhold its approval of the merger until the parties have signed agreement(s) that resolve all transition issues, including use of the existing ALI database, liability, fees and the deadlines required to transition CenturyLink's E911 services to the E911/NG911 network provided by the new network provider. The State Office feels that it is necessary for the Commission to take this action to protect the safety of the end users of 911 services and citizens of the state of Washington.

Respectfully,



Adam Wasserman