

**Docket Nos. UT-190262, UT-190263, UT-190264, UT-190265 and UT-190266 (Consolidated) - Vol. II**

**WUTC v. Qwest Corporation, d/b/a CenturyLink, et al.**

**July 30, 2019**



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BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

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WASHINGTON UTILITIES AND ) DOCKET NO. UT-190262  
TRANSPORTATION COMMISSION, )  
)   
Complainant, )  
)   
vs. )  
)   
QWEST CORPORATION, d/b/a )  
CENTURYLINK QC, )  
)   
)   
Respondent. ) \*Caption Continued\*

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STATUS CONFERENCE, VOLUME II

Pages 33-47

ADMINISTRATIVE LAW JUDGE NELLI DOROSHKIN

July 30, 2019

9:30 a.m.

Washington Utilities and Transportation Commission  
621 Woodland Square Loop Southeast  
Lacey, Washington 98503

REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358

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1 WASHINGTON UTILITIES AND )  
TRANSPORTATION COMMISSION, )  
2 )  
Complainant, )  
3 ) DOCKET NO. UT-190263  
v. )  
4 )  
CENTURYTEL OF COWICHE, )  
5 INC., d/b/a CENTURYLINK, )  
Respondent. )  
6 )

7 )  
WASHINGTON UTILITIES AND )  
8 TRANSPORTATION COMMISSION, ) DOCKET NO. UT-190264  
9 Complainant, )  
10 v. )  
11 CENTURYTEL OF WASHINGTON, )  
INC., d/b/a CENTURYLINK, )  
12 Respondent. )  
13 )

14 WASHINGTON UTILITIES AND )  
TRANSPORTATION COMMISSION, ) DOCKET NO. UT-190265  
15 Complainant, )  
16 v. )  
17 CENTURYTEL OF WASHINGTON, )  
18 INC., d/b/a CENTURYLINK, )  
19 Respondent. )  
20 )

21 WASHINGTON UTILITIES AND )  
TRANSPORTATION COMMISSION, ) DOCKET NO. UT-190266  
22 Complainant, )  
23 v. )  
24 UNITED TELEPHONE COMPANY )  
OF THE NORTHWEST d/b/a )  
25 CENTURYLINK, )

1 Respondent. )  
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A P P E A R A N C E S

ADMINISTRATIVE LAW JUDGE:

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25                                   CARLA COLAMONICI  
                                  ANDREW SINGER  
                                  STEVE HELME

\* \* \* \* \*

1 LACEY, WASHINGTON; JULY 30, 2019

2 9:30 A.M.

3 --o0o--

4 P R O C E E D I N G S

5

6 JUDGE DOROSHKIN: Let's be on the record.

7 So we're here today for a status conference in  
8 consolidated Dockets UT-190262, UT-190263, UT-190264,  
9 UT-190265, and UT-190266 regarding tariff filings to  
10 discontinue private switch/automatic location  
11 identification services. These filings were made by the  
12 companies in the docket captions, which we will refer to  
13 in shorthand as the CenturyLink companies.

14 My name is Nelli Doroshkin, and I am an  
15 administrative law judge with the Washington Utilities  
16 and Transportation Commission.

17 We will begin by taking short appearances  
18 beginning with the CenturyLink companies. The light  
19 should be green.

20 MS. ANDERL: It's not. Okay. For the  
21 record, that's a really hard press on that button. Good  
22 morning, Your Honor, and everyone else. Lisa Anderl,  
23 in-house attorney representing CenturyLink.

24 JUDGE DOROSHKIN: Staff?

25 MR. CALLAGHAN: Nash Callaghan, Assistant

1 Attorney General, on behalf of Staff.

2 JUDGE DOROSHKIN: Public Counsel?

3 MS. GAFKEN: Good morning. Lisa Gafken,  
4 Assistant Attorney General, appearing on behalf of  
5 Public Counsel.

6 JUDGE DOROSHKIN: And Washington State  
7 Military Department?

8 MS. CORTEZ: Assistant Attorney General,  
9 Dawn Cortez, representing the State Military Department.

10 JUDGE DOROSHKIN: Okay. And then  
11 TeleCommunication Systems, Inc.?

12 MS. ORNSTEIN: Susan Ornstein, representing  
13 TeleCommunication Systems, Inc.

14 JUDGE DOROSHKIN: So that should be  
15 everyone. The prehearing conference on May 13th where  
16 we discussed the process for filing an implementation  
17 plan and CenturyLink agreed to share its implementation  
18 plan information with other parties on May 24th, and the  
19 parties were to participate in a settlement conference  
20 on June 7th.

21 So could CenturyLink please start by saying  
22 whether you had shared the implementation plan  
23 information and whether correct notices were provided to  
24 customers?

25 MS. ANDERL: We did share an implementation



1 plan, a proposed implementation plan, and we spoke with  
2 the parties during at least one formal settlement  
3 conversation and then a -- some phone calls and some  
4 emails. We were able to resolve the final form of a  
5 corrected customer notice just last week or perhaps  
6 maybe ten days ago, and I have the wheels turning within  
7 the Company to have that sent out both via email and  
8 U.S. mail to our customers, remaining PS/ALI customers.

9 JUDGE DOROSHKIN: Okay. And when would that  
10 happen?

11 MS. ANDERL: I don't know yet.

12 JUDGE DOROSHKIN: Okay.

13 MS. ANDERL: We've -- we've requested that  
14 it happen, but it has to go through, you know, certain  
15 other legal review other than me and then get into queue  
16 to be sent out, you know, in -- with multiple other  
17 notices that we either have to or want to send. So I  
18 have asked for that information, what the ETA mailing  
19 date is, but haven't received any information back yet.

20 JUDGE DOROSHKIN: Okay. Maybe we can  
21 discuss that when we discuss the proposed procedural  
22 schedule.

23 So I did receive a copy of a proposed  
24 procedural schedule from Commission Staff yesterday,  
25 which Staff conveys is jointly proposed by all of the

1 parties. My first question is whether this applies to  
2 all the consolidated dockets labeled UT-190262.

3 MR. CALLAGHAN: All the consolidated  
4 dockets, Your Honor.

5 JUDGE DOROSHKIN: Okay. And then second, as  
6 we discussed at the prehearing conference, the  
7 Commission has not intended on holding a hearing in  
8 these dockets, and had instead anticipated that the  
9 parties would file an implementation plan.

10 So I'll ask Staff to address the need for a  
11 hearing including whether there's consensus for proposed  
12 topics for a hearing and what those topics would be if  
13 so.

14 MR. CALLAGHAN: Thank you, Your Honor. We  
15 believe that it was necessary to include a hearing given  
16 that, if the parties could not come to an agreement in  
17 this case, that we would need an evidentiary hearing to  
18 determine whether the proposed tariff change was in the  
19 public interest. That being said, the parties are  
20 working towards a settlement, and I believe we're making  
21 good progress.

22 JUDGE DOROSHKIN: Okay. So then what -- do  
23 you anticipate that settlement would result in an  
24 implementation plan or how does an implementation plan  
25 fit into this proposed procedural schedule?

1                   MR. CALLAGHAN: Yes, Your Honor. I believe  
2 that the settlement would necessarily include an  
3 implementation plan.

4                   JUDGE DOROSHKIN: Okay. And then when would  
5 the anticipated filing day for an implementation plan be  
6 in case a hearing is held? I just don't see that in  
7 the procedural schedule.

8                   MR. CALLAGHAN: Well, Your Honor, in the  
9 event that the parties would be unable to reach an  
10 agreement, I think that the -- the course of action  
11 would be that the Commission would make an order that  
12 might direct the parties toward an implementation plan.

13                   JUDGE DOROSHKIN: Okay. So an order on the  
14 tariff filing?

15                   MR. CALLAGHAN: Yes.

16                   JUDGE DOROSHKIN: I see. All right. Well,  
17 then, taking a look at the proposed procedural schedule,  
18 are there any other dates available for a hearing,  
19 whether or not a hearing is held? But right now, as  
20 currently proposed, that date does not work very well  
21 for me. Are there any other dates that would be  
22 suitable?

23                   MS. ANDERL: Your Honor, we talked a little  
24 bit about this, and I think we had preliminarily raised  
25 the possibility of extending the suspension date for 30

1 days to give basically some more flexibility in terms of  
2 finding a hearing date if one were necessary. I will  
3 tell you that the customer notice that we're going to  
4 send, that includes all of -- you know, that all the  
5 parties have agreed upon, says that CenturyLink is  
6 recommending to the UTC to allow us to discontinue the  
7 service effective May 31st, 2020. So the March 8th  
8 date, while it is a real one because it is a statutory  
9 suspension date for the tariff, we've already  
10 effectively waived that out.

11 JUDGE DOROSHKIN: Okay.

12 MS. ANDERL: And so we're hopeful that, you  
13 know, whatever sort of a settlement agreement the  
14 parties can reach would include that -- that  
15 May 31st, 2020 date as a hard stop.

16 JUDGE DOROSHKIN: Okay.

17 MS. ANDERL: But that gives us more time in  
18 the first quarter or, you know, early second quarter of  
19 2020 in the unlikely event that we need a hearing to  
20 pick a date.

21 JUDGE DOROSHKIN: Okay. I see. So what we  
22 could do is take this proposed procedural schedule as-is  
23 and maybe leave the evidentiary hearing date to be  
24 determined. However, I do like the -- the fact that  
25 there is a hard stop here. There is a deadline in place

1 with a hearing as proposed.

2           So what I will do is I will discuss the  
3 proposed procedural schedule with Commissioners prior to  
4 issuing any document after this status conference, and  
5 then I will issue an order on the procedural schedule,  
6 not necessarily modifying the current procedural  
7 schedule in the docket. But should there be a  
8 settlement that results in the filing of an  
9 implementation plan, then upon filing, the Commission  
10 will review the implementation plan and issue -- we  
11 would issue an order on that.

12           So and the public comment hearing date does  
13 not need to be determined at this point I don't think,  
14 so I think that's fine.

15           Is there anything else that anyone would  
16 like to discuss?

17           MR. CALLAGHAN: Thank you, Your Honor.  
18 Staff would just encourage CenturyLink to send out the  
19 customer notice as soon as possible. We have received  
20 reports that there's some confusion with these customers  
21 about what's going on with the transition, so we would  
22 just encourage them to file the customer notice as soon  
23 as possible.

24           MS. ANDERL: Right, and we will, and I  
25 appreciate that and I appreciate the action by the other

1 parties to help us with drafting this. I think it took  
2 a little while, but I think it is a better product than  
3 it would have been otherwise so --

4 JUDGE DOROSHKIN: Okay. So the delay was  
5 due to working with other parties to draft the...

6 MS. ANDERL: I'm not saying they were the  
7 cause of any delay. I'm just saying that it --

8 JUDGE DOROSHKIN: No, I'm just trying to  
9 understand --

10 MS. ANDERL: Yeah, we kept talking about  
11 like what's this notice going to look like. And finally  
12 we just sat down and pulled all the edits together and,  
13 you know, I think -- I think it was a conference call a  
14 week ago Friday where we, you know, finally got a draft  
15 that everybody agreed on so -- but it's a -- it's a good  
16 notice.

17 JUDGE DOROSHKIN: Okay. All right. Well,  
18 if everyone agrees on the notice, if we can get that  
19 sent out as quickly as possible and we'll take a look at  
20 the proposed procedural schedule.

21 MS. ANDERL: And, Your Honor, I would  
22 propose that when we -- when we send it to the  
23 customers, I will file a copy of it in the docket with  
24 an indication of the date that it was actually sent out.

25 JUDGE DOROSHKIN: All right. Okay.

1                   All right, then. Is there anything else  
2 that we need to address? Well, then, I will issue an  
3 order shortly, which may or may not modify the  
4 procedural schedule once we review this with the  
5 Commissioners. But other than that, we are adjourned.  
6 Thank you.

7                   (Adjourned at 9:41 a.m.)  
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STATE OF WASHINGTON

COUNTY OF THURSTON

I, Tayler Garlinghouse, a Certified Shorthand Reporter in and for the State of Washington, do hereby certify that the foregoing transcript is true and accurate to the best of my knowledge, skill and ability.



Tayler Garlinghouse

Tayler Garlinghouse, CCR 3358