

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of:

**RULEMAKING TO CONSIDER AMENDING
RULES IN WAC 480-07, PROCEDURAL RULES**

DOCKET NO. A-130355

COMMENTS OF CENTURYLINK

I. INTRODUCTION

1 CenturyLink hereby files its comments in this docket in which the Washington Utilities and Transportation Commission (“Commission”) has opened a rulemaking to consider amendments to Washington Administrative Code Chapter 480-07 (Procedural Rules).

II. BACKGROUND

2 CenturyLink has reviewed the proposed amendments to the first section of Chapter 480-07 WAC, and generally supports the changes. There are some rules where CenturyLink believes that additional clarification or amendments are warranted, and those rules are discussed below.

III. ADDITIONAL RULE MODIFICATIONS/CLARIFICATIONS

3 In this section of CenturyLink’s comments, rules that warrant additional clarification or amendments are addressed in order from the beginning of Chapter 480-07 WAC.

Part I. General Provisions

4 WAC 480-07-110 Exemptions from and Modifications to Commission Rules; Conflicts Involving Rules. The draft rule appears to eliminate the ability of the Commission or the presiding officer to grant exemptions in adjudicative proceedings. CenturyLink believes that this provision is important and should remain in the rule, particularly because many

requirements in the procedural rules do get modified in adjudicative proceedings in order to promote efficiencies and tailor the procedural requirements to the needs of the particular docket.

- 5 WAC 480-07-130 Time Periods Specified for Acts Governed by this Chapter. It does not appear that the Commission is changing the method for computation of time, but rather clarifying it. CenturyLink just wants to verify that that is the case.
- 6 WAC 480-07-140 Communicating with the Commission. CenturyLink believes that the rules should allow filings to be accomplished via e-mail as an equal method to the web portal. The web portal method does not allow the filing party to copy other parties, and is therefore less efficient than an e-mail filing, where the filing party can generally prepare a single e-mail message for both filing and service on other parties.
- 7 WAC 480-07-141 Receiving and Filing a Document is not Acceptance. CenturyLink's question/concern on this rule is whether a rejected document will be considered untimely when re-filed. If so, it may be that the rule is unduly harsh or punitive, especially if a late filing affects a party's substantive rights. CenturyLink believes that a document should only be rejected under the most egregious of filing deficiencies, and even then wonders if there are other remedies that could address this issue that do not involve rejecting the document, such as the imposition of a monetary penalty as an incentive to correct filing errors.
- 8 WAC 480-07-145 Filing Documents in Adjudicative Proceeding. CenturyLink questions the need for a default value of six copies of each document and believes that the Commission should consider a smaller number as an efficient and environmentally sound choice. Even if some recipients will ultimately print additional copies, they may choose to do so in a more efficient way – either in a “mini-script” type format that is used with transcripts, or double sided – that is not currently allowed for formal filings.

9 In addition, there appears to be a discrepancy in the number of redacted copies that are required. (4)(b)(ii) indicates that two copies of redacted documents are required, but (4)(c)(vii) 2nd(D)(page 51) indicates only one copy. CenturyLink believes that only one copy is necessary, as no one at the Commission is likely to view a redacted version in favor of the confidential one. However, either way the discrepancy should be resolved in the final rule language.

IV. CONCLUSION

10 CenturyLink looks forward to participating in any upcoming workshop, and may have additional comments at that time.

Submitted this 23rd day of October 2014.

CENTURYLINK

Lisa A. Anderl (WSBA # 13236)
Senior Associate General Counsel
1600 – 7th Ave., Room 1506
Seattle, WA 98191
lisa.anderl@centurylink.com