

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of the

QWEST CORPORATION;
CENTURYTEL OF WASHINGTON;
CENTURYTEL OF INTERISLAND;
CENTURYTEL OF COWICHE; AND
UNITED TELEPHONE COMPANY OF
THE NORTHWEST

to be Competitively Classified Pursuant
to RCW 80.36.320

DOCKET UT-240029

ORDER 04

GRANTING MOTION FOR
CONTINUANCE
(Settlement Conference set for
April 19, 2024)

BACKGROUND

- 1 On January 8, 2024, the CenturyLink Companies – Qwest Corporation, CenturyTel of Washington, CenturyTel of Inter Island, CenturyTel of Cowiche, and United Telephone Company of the Northwest (collectively referred to as CenturyLink or Company) filed with the Washington Utilities and Transportation Commission (Commission) a Petition for Competitive Classification (Petition) pursuant to the Revised Code of Washington (RCW) 80.36.320 and the Washington Administrative Code (WAC) 480-121-061 (Petition). The Commission suspended the effective date of the Petition by Order on January 25, 2024, and initiated this adjudicative proceeding.
- 2 On February 5, 2024, the Commission entered Order 02, Prehearing Conference Order (Order 02). Order 02 established a procedural schedule including, among other things, a parties-only settlement conference set for March 20, 2024.
- 3 On March 12, 2024, Commission staff (Staff) filed a Motion for Continuance (Motion) requesting that the Commission continue the settlement conference to April 19, 2024. In its Motion, Staff states that it does not have the information it needs to form a settlement position and that if the settlement conference were held on March 20, 2024, it would not be productive. Staff further states that Public Counsel does not object to a continuance, but that the Company does object.
- 4 On March 15, 2024, CenturyLink filed a response to the Motion objecting to the requested continuance. In its response, CenturyLink states that it has been attempting to

initiate settlement discussions with Staff and Public Counsel since May 2023 with little success and that it is eager to begin. CenturyLink further states that Staff's assertion that CenturyLink would not be prejudiced because it does not have a filing deadline between now and April 19, 2024 "paints an inaccurate picture" because CenturyLink will be preparing reply testimony which is due on May 10, 2024, but also that CenturyLink is prepared to both participate in settlement discussions and meet its other obligations simultaneously and urges the Commission to expect the same from Staff.

DISCUSSION

5 We grant Staff's Motion. The Commission may grant a continuance upon a showing of both good cause and that such continuance would not prejudice any party. Staff states that it will be unable to effectively participate in any settlement conference held on March 20, 2024. Although this matter is proceeding under a very compressed procedural schedule and maintaining the existing filing deadlines is necessary, the Commission encourages settlement and supports Staff's position that the opportunity for meaningful negotiation is of paramount importance. For participation in settlement negotiations to be meaningful, parties must have both the information they need and the opportunity to prepare. Staff credibly argues that it has neither. We are thus satisfied that Staff has adequately shown good cause.

6 CenturyLink objects to the continuance and implies that it would be prejudiced by the delay, because it will be subject to overlapping deadlines during the proposed settlement period. CenturyLink's objection does not address Staff's main contention that Staff would simply not be prepared to engage in productive negotiations by March 20, 2024. We acknowledge CenturyLink's argument that due to the abbreviated procedural schedule, any delay in these proceedings burdens all parties to a certain degree, but we agree with Staff that the delay will not unduly prejudice the Company or any other party. Therefore, in the interest of providing the parties the best opportunity for productive settlement discussions, we shall continue the scheduled settlement conference to April 19, 2024.

ORDER

7 THE COMMISSION ORDERS THAT:

8 (1) Commission Staff's Motion for Continuance is GRANTED.

- 9 (2) The Settlement Conference scheduled for March 20, 2024, is continued to April 19, 2024.

Dated at Lacey, Washington, and effective March 18, 2024.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Paige Doyle

PAIGE DOYLE

Administrative Law Judge