

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

QWEST CORPORATION, d/b/a
CENTURYLINK QC

For Approval of Elimination of the Qwest
Performance Assurance Plan and the
Performance Indicator Definitions

DOCKET UT-230520

ORDER 01

APPROVING ELIMINATION OF
THE QWEST PERFORMANCE
ASSURANCE PLAN AND
PERFORMANCE INDICATOR
DEFINITIONS

BACKGROUND

- 1 On June 27, 2023, Qwest Corporation, d/b/a CenturyLink QC (CenturyLink or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition for approval of elimination of the Qwest amendments to the Performance Indicator Definitions (PIDs) and Performance Assurance Plan (PAP) portions of CenturyLink's interconnection agreements and to modify all existing interconnection agreements that currently contain the PAP and PIDs to incorporate those revisions with each Washington competitive local exchange carrier (CLEC) (Petition).
- 2 The Federal Communications Commission (FCC) has reduced the unbundled network elements Regional Bell Operating Companies, such as CenturyLink, are required to offer CLECs.¹ The result is that payments to CLECs under the PAP have reduced to less than \$4,000 for all CLECs combined in Washington state in 2022, and there have been zero payments to CLECs under the PAP in calendar year 2023, to date. CenturyLink sent notice of this filing to all CLECs doing business in Washington state, and no CLECs contacted CenturyLink or the Commission with concerns.
- 3 CenturyLink accordingly proposes to eliminate Exhibit B (PIDs) and Exhibit K (PAP) to its existing interconnection agreements. CenturyLink states that it notified all CLECs affected of the Company's proposed changes to its interconnection agreements and received no objections.

¹ See *In the Matter of Modernizing Unbundling and Resale Requirements in an Era of Next-Generation Networks and Services*, WC Docket No. 19-308 (October 28, 2020) (FCC Order 20-152).

4 No person filed any protests or petitions for intervention in this docket. Finally, no CLEC
that is a party to a CenturyLink interconnection agreement has filed an objection or
provided comments.

5 Commission staff (Staff) reviewed the Company's Petition and concluded that it is in the
public interest. Accordingly, Staff recommends that the Commission grant the
Company's Petition.

DISCUSSION

6 Pursuant to RCW 80.36.610, the Commission may enter orders and conduct proceedings
as authorized for a state commission under the federal Telecommunications Act of 1996,
Pub. LA. No. 104-104, 110 Stat. 56 (1996) (The Telecommunications Act of 1996 or the
Act).

7 The Commission reviewed CenturyLink's Petition for approval of elimination of the
PIDs and PAP in the Company's interconnection agreements. No objections were filed
with the Commission, and it is consistent with FCC Order 20-152. We agree with Staff's
recommendation and find that the Company's request is in the public interest.

8 Accordingly, we approve the elimination of the PAP and PIDs that implement the FCC's
2019 forbearance orders. We further affirm that all of CenturyLink's existing
interconnection agreements that currently contain the PAP and PIDs should be modified
to incorporate these revisions, without need for further filings or Commission action.

FINDINGS AND CONCLUSIONS

9 (1) The Commission is an agency of the State of Washington vested by statute with
the authority to regulate the rates, rules, regulations, practices, accounts,
securities, transfers of property and affiliated interests of public service
companies, including telecommunications companies.

10 (2) CenturyLink is a telecommunications company and a public service company
subject to Commission jurisdiction.

11 (3) The Telecommunications Act of 1996 allows the FCC to establish rules to
implement the Act and delegate authority to state Commissions.

- 12 (4) The Commission has jurisdiction over this matter pursuant to RCW 80.36.610,
which authorizes the Commission to take actions necessary to implement the Act.
- 13 (5) This matter came before the Commission at its regularly scheduled meeting on
September 28, 2023.
- 14 (6) The Commission has reviewed the Petition and concludes that the proposed
amendments to CenturyLink’s interconnection agreements are reasonable in light
of the change in federal requirements.

ORDER

THE COMMISSION ORDERS:

- 15 (1) Qwest Corporation, d/b/a CenturyLink QC’s Petition proposing the elimination of
the Performance Indicator Definitions and Performance Assurance Plan portions
of the existing interconnection agreements between Qwest Corporation, d/b/a
CenturyLink QC, and competitive local exchange carriers, as filed by Qwest
Corporation, d/b/a CenturyLink QC, on June 27, 2023, is approved.
- 16 (2) Qwest Corporation, d/b/a CenturyLink QC’s existing interconnection agreements
with competitive local exchange carriers that currently contain the Performance
Indicator Definitions and Performance Assurance Plans are modified to eliminate
these provisions, effective September 28, 2023, without the need for further
filings or Commission action.
- 17 (3) The Commission retains jurisdiction over this matter to take such future actions as
may be appropriate.

18 The Commissioners, having determined this Order to be consistent with the public
interest, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective September 28, 2023.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

KATHY HUNTER

Acting Executive Director and Secretary