

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Joint Application of

QWEST COMMUNICATIONS
INTERNATIONAL INC. AND
CENTURYTEL, INC.

For Approval of Indirect Transfer of
Control of Qwest Corporation, Qwest
Communications Company LLC, and
Qwest LD Corp.

DOCKET NO. UT-100820

CENTURYLINK'S MOTION FOR AN
EXTENSION OF TIME REGARDING
REPORTING REQUIREMENT IN
ORDER 14, PARAGRAPH 263

- 1 In accordance with Order 14 in this docket CenturyLink, Inc., ("CenturyLink") hereby asks the Commission to extend the deadline for filing a "service quality improvement plan" to address the service quality claims made during the public hearings regarding service on the Colville Reservation.¹
- 2 The deadline set forth in Order 14, paragraph 263, is 60 days after the merger closes, which would result in the plan being due no later than May 31, 2011. The plan must also address broadband issues. Footnote 528 in Order 14 invites CenturyLink to request additional time to submit the plan if necessary.²

¹ Paragraph 263 provides: Accordingly, as one initial step to get to the root of the apparent service quality conditions on the Colville Reservation we require Joint Applicants to prepare and file, within 60 days after closing of the merger, a specific and detailed service quality improvement plan to address the Tribes' claims regarding the quality of Qwest and CenturyLink services, including broadband. The plan shall detail specific actions the combined company will take, as well as timeframes to accomplish this over the next five years, as a means to address the service conditions described by the Tribal representatives.

² Footnote 528 provides: If the Joint Applicants need more time to undertake a comprehensive review of the Tribes' needs, they may petition us for more time. Given the vast expanse and low density of the Colville Reservation, we recognize that these issues may require further vetting and study. Moreover, we recognize that large-scale improvements of facilities on one reservation goes well beyond what is before us here as well as the Tribes' request that we require the combined company to undertake a comprehensive study of the broadband needs of all Tribes in Washington.

3 CenturyLink respectfully requests that the Commission extend the deadline for submitting the plan for 120 days, thereby making the plan due 180 days after the close of the transaction.

4 If extended, the new deadline would be the same as the deadline for submitting the broadband deployment plan in accordance with Condition 14 in the Settlement Agreement between the Joint Applicants, Commission Staff, and Public Counsel.³ One of the provisions of Condition 14 is that CenturyLink will enable broadband in the Nespelem central office – the Nespelem exchange serves the Colville Reservation. In addition, CenturyLink has committed to specifically evaluate broadband deployment in areas where there is less than 85% broadband availability. The 180 day timeframe is reasonable, given the scope of the initial report. The wire centers that serve the Colville Reservation (Nespelem, Hunters-Inchelium, Omak, and Coulee Dam) will all be considered for broadband deployment under the 85% standard. As such, it would save resources to consider these issues together, and present a single report on broadband deployment.

5 In paragraph 264 of Order 14, the Commission noted that “CenturyLink is already required under Condition 14 of the Staff/Public Counsel Settlement to file a statewide broadband plan within 180 days of closing. Notwithstanding the specific service quality plan we require above, we also expect the statewide broadband plan to include consideration of the benefits and costs of extending broadband service beyond the Nespelem central to other Colville

³ Condition 14 provides, in relevant part: Within 180 days of the Transaction’s close, CenturyLink will file with the Commission, with copies to Commission Staff and Public Counsel, a separate confidential filing identifying the initial wire centers targeted under the commitment, including those areas that qualify as unserved or underserved, as well as the estimated living units that will be enabled or upgraded as to speed. Company representatives will meet with Commission engineering staff and Public Counsel to review this report. The Parties agree that as part of its initial broadband evaluation CenturyLink will evaluate each of the unserved and underserved areas, with an emphasis on those Qwest and CenturyLink ILEC wire centers with 85% broadband availability or less, to determine if the combined networks overcome the existing challenges in provision of broadband services. These findings will be used in developing CenturyLink’s broadband investment plan and will be reviewed with Commission Staff and Public Counsel as part of the post-Transaction meeting.

Reservation communities. We also expect the Tribe to share with CenturyLink any studies it may have that examine factors related to extending broadband service on the reservation.”

6 CenturyLink recognizes that the broadband issues and the service quality issues are separate, and that the service quality issues that were raised in the public hearings may not necessarily be linked to the broadband issues. However, there may be plans regarding broadband deployment that have a beneficial impact on service quality as well. Furthermore, the Commission clearly recognized that there would be some overlap between the reporting requirements in Condition 14 and the requirements in paragraph 263. As such, it seems to make sense to consolidate those reports and have the information presented in the 180 day report.

7 In addition, as the Commission noted, there is a significant amount of geography at issue – the Reservation is vast, has a low density of subscribers, and is somewhat remote. As such, any comprehensive analysis of and report on the service quality experienced in the exchanges in that territory will take some time to gather, and any plan for any improvements, if service quality is found to be lacking, will take time to formulate.

8 As a preliminary matter, CenturyLink is now in the process of compiling service quality data specific to the wire centers that serve the Reservation in order to evaluate the claims made by the Colville Tribe representatives during the public hearing concerning service quality. This will take time, and in CenturyLink’s current view, cannot be accomplished in time to provide a meaningful report by May 31, 2011.

9 CenturyLink has consulted with Commission Staff and Public Counsel. Staff supports extending the deadline for the broadband portion of the report to match the broadband deployment plan deadline in Condition 14 of its settlement with the Joint Applicants and Public Counsel so that Staff may evaluate CenturyLink’s broadband deployment plans for all

wire centers concurrently. Staff takes no position on the proposed extension relating to the service quality portion of the report. Public Counsel does not oppose the extension of time. In addition, the Colville Tribes have been consulted and state that they do not oppose the extension of time.

10 CenturyLink therefore asks the Commission to re-set the deadline in paragraph 263 from 60 days post-closing to 180 days post-closing.

11 Respectfully submitted this 6th day of May, 2011.

CENTURYLINK



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