

September 29, 2011

NOTICE REOPENING THE RECORD FOR LIMITED PURPOSE
AND OPPORTUNITY TO RESPOND
(Comments due by Thursday, October 6, 2011, by 3:00 p.m.)

RE: *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 UT-100820

TO ALL PARTIES:

On March 14, 2011, the Washington Utilities and Transportation Commission (Commission) entered Order 14, approving the proposed acquisition of Qwest Communications International Inc. (Qwest) by CenturyLink, Inc. (CenturyLink) subject to the companies' acceptance of the conditions the Commission adopted in the Order, including but not limited to the conditions contained in multiparty settlement agreements. One such settlement agreement between Qwest, CenturyLink, the Public Counsel Section of the Washington Attorney General (Public Counsel) and the Commission's regulatory staff (Staff) required CenturyLink to "retain Qwest [Commission] complaint staff in Washington state for a period of no less than two years following the close of the Transaction."¹

On August 24, 2011, CenturyLink filed a petition to waive the above-referenced portion of Condition 19 (Petition). CenturyLink states that one of its Seattle-based complaint handlers has the opportunity to move into a different position, and the company requests that the Commission waive this portion of Condition 19 so as to allow a Portland-based employee to assume the complaint handler's duties. CenturyLink reports that both Public

¹ Exh. No. 6, Appendix A – Settlement Conditions, Staff/Public Counsel Settlement Agreement, Condition 19.

Counsel and Staff do not oppose the Petition. Staff, however, proposes that any further staffing changes would need additional waivers of Condition 19. CenturyLink agrees to this interpretation of the settlement language.

NOTICE IS HEREBY GIVEN That parties who wish to respond to CenturyLink's Petition for Waiver must do so by 3:00 p.m., Thursday, October 6, 2011.

Pursuant to WAC 480-07-830, the Commission, on its own motion, reopens the record in this matter for the limited purpose of receiving the Petition and any associated responses from the parties.

The Commission notes, however, that CenturyLink has filed a complaint in U.S. District Court for the Western District of Washington, Case No. 2:11-CV-00633 (Complaint) challenging certain portions of Order 14 in this docket. The Commission notifies the parties that nothing in the Commission's action or non-action reflected in this letter or the Commission's consideration of this or any other party filings after CenturyLink filed the Complaint can or should be construed as a waiver of any position the Commission has taken or may take in response to the Complaint, including but not limited to taking the position that any judicial decision invalidating any part of Order 14 must result in a remand to the Commission to determine whether and under what conditions the Commission should approve the Joint Application to approve the transfer of control of Qwest to CenturyLink.

Sincerely,

MARGUERITE E. FRIEDLANDER
Administrative Law Judge