



STATE OF WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION  
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Received  
Records Management

December 4, 2018

Mark L. Johnson, Executive Director and Secretary  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Dr. SW  
P.O. Box 47250  
Olympia, WA 98504-7250

RE: Docket UT-171082 – Compliance with Order 03

Dear Mr. Johnson:

On August 23, 2018, the Commission entered its final order, Order 03, in the docket referenced above. In Order 03, the Commission ordered “Qwest Corporation d/b/a CenturyLink QC [to] work with Staff to identify and remedy any deficiencies in the Company’s records search and retrieval processes so that the Commission can reliably obtain the records Commission rules and orders require the Company to maintain.” Order 03 at ¶ 54. WAC 490-120-166, titled “Commission-referred complaints,” requires “[e]ach company [to] keep a record of all complaints concerning service or rates for at least two years and, on request, make them readily available for commission review.” Although the Commission did not find in Order 03 that CenturyLink had violated WAC 490-120-166, the Commission stated, “We share Staff’s concerns with its inability to obtain information from CenturyLink.” Order 03 at ¶ 29. In its decision, the Commission also required CenturyLink, as of the date of the order, to “keep a record of all requests for local exchange service the Company denies on the basis of lack of facilities.” Order 03 at ¶ 33.

CenturyLink and Staff met on October 2, 2018. From the meeting and related follow-up communications, Staff gained an improved understanding of CenturyLink’s search and retention processes. Based on this understanding, Staff believes that the company is now retaining commission-referred complaints for two years, in compliance with WAC 480-120-166, and that its search process should return these commission-referred complaints. Staff also believes, however, that data requests for records other than commission-referred complaints may not be retrieved.

Staff understands that CenturyLink currently maintains complaints referred to the company’s Customer Advocacy Group, which include commission-referred complaints, as well as complaints to company executives and complaints referred from the Attorney General’s

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office, in two databases, depending on the date they were received. One of these is being phased out and replaced so that, by 2020, there will be only one complaints database. It is Staff's understanding that CenturyLink is retaining commission-referred complaints for the required two-year period, the older ones in the old database (Lotus Notes) and the newer ones (as of January 1, 2018) in the new database (Salesforce).

Regarding "complaints" that customers make directly to CenturyLink, Staff understands that the company definition of "complaints" is not all encompassing. The company's use of the word "complaint" does not include all contacts from displeased customers but refers only to customer contacts that are escalated to the Customer Advocacy Group. Customer contacts that are handled just by customer service are termed "customer inquiries" and these records reside in the customer's account record. It is Staff's understanding that a search for "complaints" would not include a search of the database that includes customer account records and would, therefore, not return any "customer inquiry" records. Because of CenturyLink's search practices, Staff is not confident that it can reliably inspect records pursuant to RCW 80.04.070.

Regarding service denials, Staff understands that CenturyLink began collecting and retaining those records as of the beginning of October. CenturyLink explained to Staff that because the company's systems were not designed to collect data on service requests until such time as an order is actually accepted, the company had to improvise with its field engineering staff to try to collect the data as best they can.

Although CenturyLink is in technical compliance with Order 03, in that searches for records retained pursuant to WAC 480-120-166 should be returned and in that CenturyLink is maintaining records regarding service denials, Staff has serious concerns that CenturyLink may continue to fail to retrieve responsive documents it possesses. Given Staff's understanding that CenturyLink will search only two of its multiple databases (its old and new complaints databases) in response to Commission data requests, Staff cannot be certain that CenturyLink will retrieve all responsive documents. In short, it appears that the risk of non-retrieval remains in CenturyLink's search process, and the Commission might not reliably obtain the records it seeks.

Sincerely,



Bridgit Feeser, Assistant Director  
Consumer Protection