

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

RIVERCOM 911,

Complainant,

vs.

FRONTIER COMMUNICATIONS
NORTHWEST, INC. AND QWEST
CORPORATION, D/B/A CENTURYLINK
QC,

Respondents.

DOCKET NO. UT-171016

CENTURYLINK'S MOTION TO
DISMISS FORMAL COMPLAINT

- 1 CenturyLink hereby files its Motion to Dismiss under WAC 480-07-375 for failure to state a claim against CenturyLink upon which relief may be granted, or in the alternative for Summary Determination in favor of CenturyLink in the event that the Commission relies on the attached Declaration of Vicki Hyett.
- 2 Rivercom 911's Complaint does not state a claim under Washington law. Rivercom 911 states that it is dissatisfied with the repair and notification processes in connection with an outage on August 23, 2017. However, Rivercom 911 does not allege (and CenturyLink would dispute) that the outage was caused by CenturyLink; that the outage was within CenturyLink's network, or; that the outage was within CenturyLink's control to repair.
- 3 Rivercom 911 states that it was very concerned about not receiving notification of the outage. Rivercom 911 does not identify a statute or rule that obligates CenturyLink to advise Rivercom 911 of an outage that is in another local exchange carrier's network. CenturyLink affirmatively states that once it became aware of the outage, it provided Rivercom 911 with four (4) PSAP notifications.

- 4 For these reasons, and as supported by the attached Declaration of Vicki Hyett, the Commission should dismiss the Complaint, or resolve it in favor of CenturyLink.

Respectfully submitted this 23rd day of October 2017.

CENTURYLINK

/s/ Lisa A. Anderl

Lisa A. Anderl (WSBA # 13236)
Senior Associate General Counsel
1600 – 7th Ave., Room 1506
Seattle, WA 98191
206-345-1574
lisa.anderl@centurylink.com