

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

QWEST CORPORATION d/b/a  
CENTURYLINK QC,

Respondent.

DOCKET UT-190209

ORDER 02

PREHEARING CONFERENCE  
ORDER;

NOTICE OF HEARING  
(Set for September 24, 2019,  
at 9:30 a.m.)

- 1 **NATURE OF PROCEEDING.** On April 24, 2019, the Washington Utilities and Transportation Commission (Commission) issued a Complaint and Notice of Prehearing Conference (Complaint) against Qwest Corporation d/b/a CenturyLink QC (CenturyLink) for violations of state laws and Commission rules arising from a 911 service outage affecting Washington residents in July 2017.
- 2 **CONFERENCE.** The Commission convened a prehearing conference in this docket at Olympia, Washington on May 23, 2019, before Administrative Law Judge Gregory J. Kopta.
- 3 **APPEARANCES.** Lisa Anderl, Seattle, Washington, represents CenturyLink. Lisa Gafken and Nina Suetake, Assistant Attorneys General, Seattle, Washington, represent the Public Counsel Unit of the Washington Office of the Attorney General (Public Counsel). Jennifer Cameron-Rulkowski, Assistant Attorney General, Olympia, Washington, represents the Commission's regulatory staff (Staff).<sup>1</sup> Contact information provided at the conference for the parties' representatives is attached as Appendix A to this order.
- 4 **INTERVENTION.** No party appeared at the conference seeking to intervene.
- 5 **PROTECTIVE ORDER.** The parties ask that the Commission enter a protective order in this docket under RCW 34.05.446, RCW 80.04.095, WAC 480-07-420 and WAC 480-

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<sup>1</sup> In formal proceedings such as this, the Commission's regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners' policy and accounting advisors do not discuss the merits of this proceeding with the regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. See RCW 34.05.455.

07-423 to protect the confidentiality of proprietary information. The Commission granted the request and has entered a protective order in this docket.

6 **DISCOVERY.** The parties may conduct discovery pursuant to the Commission's discovery rules, WAC 480-07-400 – 425. The Commission urges the parties to work cooperatively together to avoid having to bring discovery matters forward for formal resolution.

7 **PROCEDURAL SCHEDULE.** The parties agreed on a procedural schedule during the conference. The Commission adopts this procedural schedule, which is attached to this Order as Appendix B.

8 **DOCUMENT FILING REQUIREMENTS.** Parties must file all pleadings, motions, briefs, and other prefiled materials in compliance with all of the following requirements:

(a) Parties must submit electronic copies in searchable Adobe Acrobat (.pdf) of all documents by 5:00 p.m. on the filing deadline established in the procedural schedule (or other deadline as applicable) unless the Commission orders otherwise. If any of the documents contain information that is designated as confidential or highly confidential, the party must also file an electronic copy (in Adobe Acrobat (.pdf) of the redacted version of each such document. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files. Parties may submit documents electronically through the Commission's Web Portal ([www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)) or by email to [records@utc.wa.gov](mailto:records@utc.wa.gov).

(b) Parties must electronically serve the other parties and provide courtesy electronic copies of filings to the presiding administrative law judge ([gregory.kopta@utc.wa.gov](mailto:gregory.kopta@utc.wa.gov)) by 5 p.m. on the filing deadline unless the Commission orders otherwise. If parties are unable to email copies, they may furnish electronic copies by delivering them on a flash drive.

9 **EXHIBITS.** Parties are required to file with the Commission and serve all proposed exhibits by **5 p.m. on September 12, 2019**. The Commission requires electronic copies in searchable Adobe Acrobat (.pdf). Each exhibit must be a distinct electronic document (i.e., multiple exhibits must not be scanned or otherwise combined in the same document). If any of the exhibits contain information that is designated as confidential or highly confidential, the party must also file one electronic copy (in Adobe Acrobat (.pdf)) of the redacted version of each such exhibit. The exhibits must be grouped according to

the witness sponsoring the exhibits or the witness the party intends to cross examine with the exhibits.

- 10 **EXHIBIT LISTS.** Each party must file a list of all exhibits the party intends to introduce into the evidentiary record. The parties must file and serve their exhibit lists by **5 p.m. on September 12, 2019.**
- 11 **WITNESS LISTS AND TIME ESTIMATES.** Each party must provide a list of witnesses the party intends to present and the witnesses the party intends to cross-examine at the evidentiary hearing and an estimate of the time that party anticipates the presentation and cross-examination of those witnesses will take. Parties should not file witness lists or time estimates but must provide them to the administrative law judge and the other parties by **5 p.m. on September 12, 2019.**
- 12 **NOTICE OF HEARING:** The Commission will hold an evidentiary hearing in this matter on **September 24, 2019, at 9:30 a.m.,** in the Commission's Hearing Room, First Floor, 621 Woodland Square Loop SE, Lacey, Washington.
- 13 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission has limited ability to provide dispute resolution services. If you wish to explore those services, please contact Rayne Pearson, Director, Administrative Law Division ([rayne.pearson@utc.wa.gov](mailto:rayne.pearson@utc.wa.gov) or 360-664-1136).
- 14 **NOTICE TO PARTIES:** A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.

Dated at Olympia, Washington, and effective May 24, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

*/s/ Gregory J. Kopta*  
GREGORY J. KOPTA  
Administrative Law Judge

**APPENDIX A**

**PARTIES' REPRESENTATIVES  
DOCKET UT-190209**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>E-MAIL</b>
CenturyLink	Lisa Anderl Associate General Counsel Qwest Corporation (T156) 1600 7th Avenue RM 1506 Seattle, WA 98191	(206) 345-1574	<a href="mailto:Lisa.anderl@centurylink.com">Lisa.anderl@centurylink.com</a>
	Phil Grate Director, Regulatory Affairs		<a href="mailto:Phil.grate@centurylink.com">Phil.grate@centurylink.com</a>
Commission Staff	Jennifer Cameron-Rulkowski Assistant Attorney General Office of the Attorney General 1400 S. Evergreen Park Drive S.W. P.O. Box 40128 Olympia, WA 98504-0128	(360) 664-1186	<a href="mailto:jennifer.cameron-rulkowski@utc.wa.gov">jennifer.cameron-rulkowski@utc.wa.gov</a>
	Krista L. Gross Lead Support UTC Division	(360) 664-1194	<a href="mailto:krista.gross@atg.wa.gov">krista.gross@atg.wa.gov</a>
	Betsy DeMarco Legal Assistant AGO/UTC	(360) 664-1191	<a href="mailto:betsy.demarco@utc.wa.gov">betsy.demarco@utc.wa.gov</a>
Public Counsel	Lisa Gafken Assistant Attorney General Washington Attorney General's Office Public Counsel Unit 800 Fifth Avenue, Suite 2000 Seattle, WA 98104-3188	(206) 464-6595	<a href="mailto:Lisa.Gafken@atg.wa.gov">Lisa.Gafken@atg.wa.gov</a>
	Nina Suetake Assistant Attorney General	(206) 389-2055	<a href="mailto:NinaS@atg.wa.gov">NinaS@atg.wa.gov</a>
	Chanda Mak Legal Assistant	(206) 389-3972	<a href="mailto:chanda.mak@atg.wa.gov">chanda.mak@atg.wa.gov</a>
	Luther Caulkins Legal Assistant	(206) 464-6215	<a href="mailto:luther.caulkins@atg.wa.gov">luther.caulkins@atg.wa.gov</a>
	Service email address		<a href="mailto:PCCSeaEF@atg.wa.gov">PCCSeaEF@atg.wa.gov</a>

**APPENDIX B  
PROCEDURAL SCHEDULE  
DOCKET UT-190209**

<b>EVENT</b>	<b>DATE</b>
Settlement Conference (parties only)	<b>July 29, 2019</b>
Exhibits, Exhibit Lists, Witness Lists, and Time Estimates	<b>September 12, 2019</b>
Evidentiary Hearing	<b>September 24, 2019</b>
Simultaneous Post-Hearing Briefs	<b>November 1, 2019</b>