

UT-132282-P

SERVICE DATE

DEC 16 2013

CenturyLink
1600 7th Avenue, Room 1506
Seattle, Washington 98191
Phone: (206) 345-1574
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Lisa A. Anderl
Senior Associate General Counsel
Regulatory Law Department

December 13, 2013

Via E-mail and Overnight Mail

Mr. Steven King, Executive Director and Secretary
Washington Utilities & Transportation Commission
1300 S. Evergreen Park Drive SW
P.O. Box 47250
Olympia, WA 98504-7250

**Re: Docket No. UT-[NEW]
CenturyLink QC's Petition for Commission Approval of 2013
Additions to its Non-Impaired Wire Center List and Motion
for Expedited Issuance of Protective Order**

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2013 DEC 13 PM 2:42
STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

Dear Mr. King:

Enclosed please find an original and 12 copies of CenturyLink QC's Petition for Commission Approval of 2013 Additions to its Non-Impaired Wire Center List and Motion for Expedited Issuance of Protective Order.

Sincerely,

/s/ Lisa A. Anderl
Lisa A. Anderl

LAA/jga

Enclosures
cc: Service List



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Seattle, Washington 98191
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Dear Mr. King:

Enclosed please find an original and 12 copies of CenturyLink QC's Petition for Commission Approval of 2013 Additions to its Non-Impaired Wire Center List and Motion for Expedited Issuance of Protective Order.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa A. Anderl".

Lisa A. Anderl

LAA/jga

Enclosures

cc: Service List

RECEIVED
RECORDS MANAGEMENT
2013 DEC 16 AM 11:59
STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

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2013 DEC 16 PM 2:00

STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

IN THE MATTER OF QWEST CORPORATION d/b/a CENTURYLINK QC'S PETITION FOR COMMISSION APPROVAL OF 2013 ADDITIONS TO ITS NON-IMPAIRED WIRE CENTER LIST

DOCKET NO. UT-[NEW]

QWEST CORPORATION d/b/a CENTURYLINK QC'S PETITION FOR COMMISSION APPROVAL OF 2013 ADDITIONS TO ITS NON-IMPAIRED WIRE CENTER LIST AND MOTION FOR EXPEDITED ISSUANCE OF PROTECTIVE ORDER

1 Qwest Corporation d/b/a CenturyLink QC ("CenturyLink") petitions the Washington Utilities and Transportation Commission ("Commission") to add CenturyLink's Yakima Chestnut wire center to its non-impaired wire center list in accordance with the FCC's *Triennial Review Remand Order* ("TRRO").¹ This petition is made consistent with the Commission's July 30, 2008 Order in Docket No. UT-073033, Order 10 ("Initial TRRO Order"). The addition of the Yakima Chestnut wire center is also consistent with the joint settlement agreement between Qwest² and a coalition of CLECs ("the Joint CLECs") approved by the Commission in the March 21, 2008 Order 05 in Docket No.

¹ Order on Remand, *In the Matter of Review of Unbundled Access to Network Elements, Review of Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, CC Docket No. 01-338, WC Docket No. 04-313 (FCC rel. February 4, 2005) (hereafter "*Triennial Review Remand Order*" or "*TRRO*").

² Prior to April 2011, Qwest Corporation did business as Qwest. For references before April 2011, this petition will still say Qwest, and for references after April 2011, it will say CenturyLink.

UT-073035 (*TRRO* Settlement Order).³

2 In addition, pursuant to the above-cited orders, CenturyLink requests that the Commission issue on an expedited basis a protective order based on the protective orders previously entered as Orders 02 and 07 in Docket No. UT-073033.

3 In the initial *TRRO* non-impaired wire center proceeding, Qwest and the Joint CLECs negotiated and agreed to use a protective order to allow Qwest to file confidential wire center information regarding “business line” counts and the number of “fiber-based collocators” as defined in the FCC’s *TRRO*.

BACKGROUND

4 The Commission opened Docket Nos. UT-073033 and UT-073035 to consider the issues around the implementation of the Section 251(d)(2) non-impairment standards set forth in the FCC’s *TRRO* for high-capacity dedicated transport and loops. The dockets also addressed other issues and disputes relating to the *TRRO*, including the process for identifying and adding future new wire centers to the non-impaired wire center list.

5 Thereafter, on March 21, 2008, after responses to Bench Requests and the filing of the settlement agreement, the Commission issued Order 05 in Docket No. UT-073035 resolving certain issues and disputes between Qwest and the Joint CLECs. The *TRRO* Settlement Order included adopted the provisions of the Settlement relating to the requirements for adding wire centers to the list of non-impaired wire centers in the future,

³ The original docket to investigate Qwest’s initial non-impairment list was Docket No UT-053025), but that docket was essentially superceded by Docket No. UT-073035 and the Settlement Agreement filed in that docket

which include provisions regarding notice to CLEC, the request for a protective order, and timing.

- 6 The parties to the settlement agreement agreed that Qwest (now CenturyLink) may request the addition of non-impaired wire centers at any time based on the number of fiber-based collocators. Further, the settlement agreement states that CenturyLink may request the addition of non-impaired wire centers based in whole or in part upon line counts at any time up to July 1st of each year, based on prior year line count data, and using an agreed-upon methodology. *The request to add the Yakima Chestnut wire center to the non-impaired wire center list is based entirely on the number of fiber-based collocators.*

**THE YAKIMA CHESTNUT WIRE CENTER SHOULD BE ADDED TO THE
NON-IMPAIRED WIRE CENTER LIST**

- 7 CenturyLink now files this petition seeking to add the Yakima Chestnut wire center to its non-impaired wire center list. CenturyLink will provide the highly confidential information supporting the updated list to the Commission and any requesting CLEC in accordance with a protective order.
- 8 CenturyLink seeks the Commission's expedited issuance of a protective order to cover Confidential and Highly Confidential information as previously done in Docket No. UT-073033. Expedited issuance of the protective order will permit interested CLECs that sign the order to begin reviewing the confidential wire center data promptly after CenturyLink files the data.

9 As previously stated, the wire center is the only wire center that CenturyLink seeks to add to its list of non-impaired wire centers. Attachment 1 is the notice that was sent to all CLECs on December 4, 2013. The pertinent information is as follows:

STATE	WIRE CENTER	CLLI	TIER	NON-IMPAIRMENT FOR
WA	Yakima Chestnut	YAKMWA02	Tier 2	DS3 Transport and Dark Fiber

REQUEST FOR PROTECTIVE ORDER

10 A protective order is needed in this proceeding because the information that CenturyLink will file will include certain highly-confidential wire center data, including highly-confidential CLEC-specific data. Qwest and the Joint CLECs in Docket No. UT-073035 agreed this data should be protected by a protective order that contains protections and limited disclosures of highly-confidential information. Specifically, CenturyLink seeks this protective order because it will be filing CLEC-specific wire center data in this proceeding for the purposes of counting fiber-based collocators in the wire centers at issue.

CONCLUSION

11 CenturyLink respectfully requests the Commission approve the addition of CenturyLink's Yakima Chestnut wire center to its non-impaired wire center list. Further, CenturyLink requests that the Commission issue a protective order as soon as possible.

Respectfully submitted this 13th day of December 2013.

CENTURYLINK



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

Announcement Date: December 4 2013
Filing Date: December 11, 2013
Document Number: NETW.06.22.07.2818.Add_Non_IM_Wire_Ctr
Notification Category: Contract/Network Notice
Target Audience: CLECs operating in the states of IA, NE, NM, SD, UT, WY
Subject: Additions to Non-Impaired Wire Center Lists

On **December 4 2013** CenturyLink will file petitions with the following state commissions to open a docket to consider the addition of wire centers to CenturyLink's Non-Impaired Wire Center List:

- Washington

CenturyLink will also request a protective order governing the confidential data supporting these additions to be issued expeditiously.

On **December 11, 2013** CenturyLink will file with the state regulatory commissions of the affected states supporting data for the approval of these additions to CenturyLink's Non-Impaired Wire Center List. CenturyLink may also file for non-impairment status in additional wire centers later this year.

CenturyLink offers this Notice pursuant to the terms and conditions of the Multi-State Settlement Agreement Regarding Wire Center Designations and Related Issues entered into by CenturyLink Corporation and Covad Communications Company and DIECA Communications, Inc. (collectively "Covad"), Eschelon Telecom, Inc. ("Eschelon"), Integra Telecom Holdings, Inc. ("Integra"), McLeodUSA Telecommunications Services, Inc. ("McLeodUSA"), Onvoy, POPP.Com ("POPP"), US Link, Inc. d/b/a TDS Metrocom, Inc. ("TDSM"), and XO Communications Services, Inc. ("XO") on June 20, 2007.

At this time, CenturyLink anticipates requesting the addition of the following Wire Centers to its Non-Impaired Wire Center Lists as having met the Tier 1 or Tier 2 Wire Center designations as defined in §51.319(e)(3):

STATE	WIRE CENTER	CLLI8	TIER	NO IMPAIRMENT FOR
WA	Yakima Chestnut	YAKMWA02	Tier 2	DS3 Transport & DF

CERTIFICATE OF SERVICE
Docket No. UT-[New]

I certify that I have caused to be served copies of **Qwest Corporation d/b/a CenturyLink QC's Petition for Commission Approval of 013 Additions to its non-impaired Wire Center List and Motion for Expedited Issuance of Protective Order** via email and UPS delivery on the following parties:

<p>Sally Brown Assistant Attorney General WUTC Attorney General Office P.O. Box 40128 Olympia, WA 98504-0128 Tel: (360) 664-1193 Email: sbrown@utc.wa.gov</p>	<p>Simon ffitc Public Counsel Section Office of the Attorney General 800 Fifth Avenue, Suite 2000 Seattle, WA 98104-3188 Tel: (206) 464-7744 Email: simonf@atg.wa.gov</p>
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DATED this 13th day of December 2013.



Josie Addington