

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

QWEST CORPORATION, d/b/a
CENTURYLINK QC

For Approval of Amendments to the Qwest
Performance Assurance Plan and the
Performance Indicator Definitions to
Implement the FCC's 2019 Forbearance
Orders

DOCKET UT-200114

ORDER 01

APPROVING AMENDMENTS TO
INTERCONNECTION
AGREEMENTS

BACKGROUND

- 1 On February 19, 2020, Qwest Corporation, d/b/a CenturyLink, (CenturyLink or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition for approval of amendments to the Performance Indicator Definitions (PIDs) and Performance Assurance Plan (PAP) portions of CenturyLink's interconnection agreements with each Washington competitive local exchange carrier (CLEC). CenturyLink's proposed amendments would eliminate two service offerings that the Federal Communications Commission (FCC) recently determined incumbent local exchange carriers (ILECs) no longer need to provide to CLECs.
- 2 On August 2, 2019, the FCC eliminated the ILEC obligation (1) to offer unbundled two-wire and four-wire analog voice-grade copper loops, including the attached TDM equipment (UNE analog loops), and (2) to offer for resale at wholesale rates telecommunications services that the ILEC offers at retail to non-carrier customers (resale discount).¹ In its order, the FCC provided a transition period of three years to allow CLECs time to transition away from these services.
- 3 CenturyLink proposes to modify Exhibit B (PIDs) and Exhibit K (PAP) to its existing interconnection agreements to incorporate the FCC's forbearance decision eliminating the requirement that ILECs offer UNE analog loops and the resale discount and requiring a transition period. No other changes to CenturyLink's interconnection agreements are

¹ *Petition of US Telecom for Forbearance Pursuant to 47 U.S.C. § 160(c) to Accelerate Investment in Broadband and Next-Generation Networks*, Memorandum Opinion and Order, WC Docket No. 18-141, FCC 19-72, 34 FCC Rcd. 6503 (rel. Aug. 2, 2019).

proposed. In addition, the Company requests that the Commission deem all of CenturyLink's existing interconnection agreements that currently contain the PAP and PIDs to be modified to incorporate these revisions, without need for further filings or approvals.

4 CenturyLink states that it notified all CLECs affected by the FCC decision of the Company's proposed changes to its interconnection agreements and received no objections.

5 Commission staff (Staff) additionally contacted representatives of Washington state CLECs, Douglas Denney and Andrew Isar, neither of whom objected. No person filed any protests or petitions for intervention in this docket. Finally, no CLEC that is a party to a CenturyLink interconnection agreement has filed an objection or provided comments.

6 Staff reviewed the Company's petition and concluded that it is in the public interest. Accordingly, Staff recommends that the Commission grant the Company's request.

DISCUSSION

7 The Commission reviewed CenturyLink's petition for approval of amendments to the PIDs and PAP in the Company's interconnection agreements. No objections were filed with the Commission, and the amendments are consistent with the FCC's decision. We agree with Staff's recommendation and find that the Company's request is in the public interest.

8 Accordingly, we approve the amendments to the PAP and PIDs that implement the FCC's 2019 forbearance orders. We further affirm that all of CenturyLink's existing interconnection agreements that currently contain the PAP and PIDs should be modified to incorporate these revisions, without need for further filings or approvals.

FINDINGS AND CONCLUSIONS

9 (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including telecommunications companies.

- 10 (2) CenturyLink is a telecommunications company and a public service company subject to Commission jurisdiction.
- 11 (3) The Telecommunications Act of 1996 (the Act) allows the FCC to establish rules to implement the Act and delegate authority to state Commissions.
- 12 (4) The Commission has jurisdiction over this matter pursuant to RCW 80.36.610, which authorizes the Commission to take actions necessary to implement the Act.
- 13 (5) This matter came before the Commission at its regularly scheduled meeting on July 30, 2020.
- 14 (6) The Commission has reviewed the petition and concludes that the proposed amendments to CenturyLink's interconnection agreements are reasonable in light of the change in federal requirements.

ORDER

THE COMMISSION ORDERS:

- 15 (1) Qwest Corporation, d/b/a CenturyLink QC's proposed amendments to the Performance Indicator Definitions and Performance Assurance Plan portions of the existing interconnection agreements between Qwest Corporation, d/b/a CenturyLink QC, and competitive local exchange carriers, as filed by Qwest Corporation, d/b/a CenturyLink QC, on February 19, 2020, are approved.
- 16 (2) Qwest Corporation, d/b/a CenturyLink QC's existing interconnection agreements with competitive local exchange carriers that currently contain the Performance Indicator Definitions and Performance Assurance Plans are modified to incorporate these revisions, effective July 30, 2020, without the need for further filings or approvals.
- 17 (3) The Commission retains jurisdiction over this matter to take such future actions as may be appropriate.
- 18 The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective July 30, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON
Executive Director and Secretary