

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of the

QWEST CORPORATION;
CENTURYTEL OF WASHINGTON;
CENTURYTEL OF INTERISLAND;
CENTURYTEL OF COWICHE; AND
UNITED TELEPHONE COMPANY
OF THE NORTHWEST

to be Competitively Classified Pursuant
to RCW 80.36.320

DOCKET UT-240029

ORDER 01

COMPLAINT AND ORDER
SUSPENDING TARIFF REVISIONS

BACKGROUND

- 1 On January 8, 2024, the CenturyLink Companies – Qwest Corporation, CenturyTel of Washington, CenturyTel of Inter Island, CenturyTel of Cowiche, and United Telephone Company of the Northwest (collectively referred to as CenturyLink or Company) filed with the Washington Utilities and Transportation Commission (Commission) a Petition for Competitive Classification (Petition) pursuant to the Revised Code of Washington (RCW) 80.36.320 and the Washington Administrative Code (WAC) 480-121-061. The Petition requests an effective date of June 1, 2024. The Petition also requests that the Commission provide for a further extension of the deadline for filing a new request for an alternative form of regulation (AFOR) in Docket UT-130047 should the Commission deny the Petition. The Petition was assigned to Docket UT-240029.
- 2 Commission Staff (Staff) reviewed the Company’s Petition and supporting documentation. Staff recommends that the Commission suspend the effective date of the Petition and set the matter for adjudication to allow for a more thorough investigation of the evidence provided and omitted, and to allow other parties to participate in the proceeding.
- 3 This matter came before the Commission at its regularly scheduled open meeting on January 25, 2024.

DISCUSSION AND DECISION

4 We agree with Staff that the Petition's effective date should be suspended and set for
adjudication. CenturyLink has been operating under an AFOR for nearly a decade. While
we have encouraged the Company to file a petition for competitive classification, most
recently in Order 10 in Commission Docket UT-130477, we must now investigate
whether CenturyLink qualifies for such classification under the factors provided in RCW
80.36.320. Most importantly, we must explore whether the Company retains a significant
captive customer base or is truly subject to effective competition. To explore these
factors, we require the continued input of Staff, the Public Counsel Unit of the
Washington Attorney General's Office, and other potentially interested persons.
Suspending the effective date of the Petition will allow the Commission to thoroughly
examine if minimal or no regulation is fully supported by CenturyLink's position in the
market.

FINDINGS AND CONCLUSIONS

- 5 (1) The Commission is an agency of the State of Washington vested by statute with
the authority to regulate rates, regulations, and practices of public service
companies, including telecommunications companies.
- 6 (2) CenturyLink is a telecommunications company and a public service company
subject to Commission jurisdiction.
- 7 (3) This matter came before the Commission at its regularly scheduled meeting on
January 25, 2024.
- 8 (4) Granting the Petition CenturyLink filed on January 8, 2024, might injuriously
affect the rights and interests of the public.
- 9 (5) CenturyLink has not yet sufficiently demonstrated that competitive classification
is warranted.
- 10 (6) In order to carry out the duties imposed upon the Commission by law, the
Commission believes it is necessary to investigate whether the services
CenturyLink offers are subject to effective competition.
- 11 (7) As required by WAC 480-121-061, CenturyLink bears the burden to prove that
the Company's services are subject to effective competition.
- 12 (8) The effective date of CenturyLink's Petition should be suspended.

ORDER

THE COMMISSION ORDERS:

- 13 (1) The effective date of the Petition filed by Qwest Corporation, CenturyTel of Washington, CenturyTel of Inter Island, CenturyTel of Cowiche, and United Telephone Company of the Northwest on January 8, 2024, is suspended.
- 14 (2) The Commission will hold hearings at such times and places as may be required.

DATED at Lacey, Washington, and effective January 25, 2024.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chair

ANN E. RENDAHL, Commissioner

MILTON H. DOUMIT, Commissioner