BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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| In the Matter of the Joint Application of  QWEST COMMUNICATIONS INTERNATIONAL INC. AND CENTURYTEL, INC.  For Approval of Indirect Transfer of Control of Qwest Corporation, Qwest Communications Company LLC, and Qwest LD Corp. | DOCKET UT-100820  COMMISSION STAFF RESPONSE REGARDING T-MOBILE’S LATE-FILED PETITION TO INTERVENE |

1. Pursuant to the Commission’s Notice of Opportunity to Respond to Late-Filed Petition to Intervene issued July 1, 2010, Staff of the Washington Utilities and Transportation Commission (Staff) files this Response in support of granting the late-filed petition to intervene filed by T-Mobile West Corporation (T-Mobile).
2. According to its petition, T-Mobile offers wireless service in Washington and obtains interconnection as well as facilities, such as wireless backhaul, from Qwest Communications International Inc. (Qwest) and CenturyTel, Inc. (CenturyLink).[[1]](#footnote-1) Staff concurs with T-Mobile that T-Mobile can add information to the record that T-Mobile, as the only wireless intervener, is uniquely qualified to address.
3. The Commission reviews merger transactions for consistency with the public interest. WAC 480-143-170. The public interest standard is broad and encompasses the wholesale markets.[[2]](#footnote-2) The transaction proposed by the Joint Applicants, Qwest and CenturyLink (collectively, Joint Applicants), will potentially affect each telecommunications service market in Washington and concentrate substantial resources in one entity. Accordingly, wholesale charges and arrangements with other carriers, including CMRS providers, are relevant to and part of the public interest inquiry.
4. Wholesale issues are already under investigation by various parties to the proceeding, including Staff. Because T-Mobile’s intervention could assist the Commission in this proceeding, without broadening the issues, it is in the public interest to grant T‑Mobile’s late-filed petition to intervene.

DATED this 7th day of July 2010.

Respectfully submitted,

ROBERT M. MCKENNA

Attorney General

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Transportation Commission Staff

1. Late-Filed Petition to Intervene of T-Mobile West Corporation at p. 2, ¶ 3. [↑](#footnote-ref-1)
2. *See* *In the Matter of the Joint Application of Verizon Communications, Inc., and Frontier Communication Corporation For an Order Declining to Assert Jurisdiction Over, or, in the Alternative, Approving the Indirect Transfer of Control of Verizon Northwest, Inc.*, Docket UT-090842, Order 06, Final Order Approving and Adopting, Subject to Conditions, Multiparty Settlement Agreements and Authorizing Transaction (April 16, 2010) at p. 53. [↑](#footnote-ref-2)