

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

QWEST CORPORATION D/B/A  
CENTURYLINK QC,

Respondent.

DOCKET UT-171082

ORDER 01

PREHEARING CONFERENCE  
ORDER;

NOTICE OF HEARING  
**(Set for Monday, July 23, 2018,  
at 9:30 a.m.)**

- 1     **NATURE OF PROCEEDING.** On December 8, 2017, the staff of the Washington Utilities and Transportation Commission (Commission) filed a Complaint against Qwest Corporation d/b/a CenturyLink QC (CenturyLink or Company). The Complaint alleges that CenturyLink has violated Washington Administrative Code (WAC) 480-120-071 by refusing to extend service within its service area to a consumer who resides in a subdivision in Vancouver, Washington.
  
- 2     On January 9, 2018, CenturyLink filed an Answer to the Complaint, in which the Company denies that it has responsibility under WAC 480-102-071 to provide service to the property in question.
  
- 3     **CONFERENCE.** The Washington Utilities and Transportation Commission (Commission) convened a prehearing conference in this docket at Olympia, Washington, on February 12, 2018, before Administrative Law Judge Gregory J. Kopta.
  
- 4     **APPEARANCES.** Lisa A. Anderl, Senior Counsel, Seattle, Washington represents CenturyLink. Lisa W. Gafken, Assistant Attorney General, Seattle, Washington, represents 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 (Commission Staff or Staff).<sup>1</sup>

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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.

Contact information provided at the conference for the parties' representatives is attached as Appendix A to this order.

5 **PETITIONS FOR INTERVENTION.** No party appeared at the conference seeking to intervene.

6 **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 480-07-423 to protect the confidentiality of proprietary information. The Commission granted the request and will enter a protective order in this docket.

7 **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.

8 **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. The Commission waives the requirement of WAC 480-07-700(b) requiring inclusion of a settlement conference in the procedural schedule due to the nature of the issues in this matter.

9 **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, 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.

- 10 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **5 p.m. on July 17, 2018.** 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, 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 the party intends to cross examine with the exhibits.
- 11 **EXHIBIT LISTS.** Each party must file a list of all exhibits the party intends to introduce into the evidentiary record, including all prefiled testimony and exhibits, as well as cross-examination exhibits. The parties must file and serve their exhibit lists by **5 p.m. on July 17, 2018.**
- 12 **CROSS-EXAMINATION TIME ESTIMATES.** Each party must provide a list of witnesses the party intends to cross-examine at the evidentiary hearing and an estimate of the time that party anticipates the cross-examination of that witness will take. Parties should not file witness lists or cross-examination time estimates but must provide them to the administrative law judge and the other parties by **5 p.m. on July 17, 2018.**
- 13 **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in this matter on **July 23, 2018, at 9:30 a.m.,** in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.
- 14 **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 Gregory J. Kopta, Director, Administrative Law Division ([gregory.kopta@utc.wa.gov](mailto:gregory.kopta@utc.wa.gov) or 360-664-1355).
- 15 **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 February 13, 2018.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

GREGORY J. KOPTA  
Administrative Law Judge

**APPENDIX A**

**PARTIES' REPRESENTATIVES  
DOCKET UT-171082**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>E-MAIL</b>
Complainant	Jennifer Cameron-Rulkowski 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>
	Susie Pau		<a href="mailto:Susie.paul@utc.wa.gov">Susie.paul@utc.wa.gov</a>
	Betsy DeMarco		<a href="mailto:Betsy.demarco@utc.wa.gov">Betsy.demarco@utc.wa.gov</a>
Respondent	Lisa A. Anderl 1600 7 <sup>th</sup> Avenue, Room 1506 Seattle, WA 98191	(206) 345-1574 (206) 345-6224	<a href="mailto:Lisa.anderl@centurylink.com">Lisa.anderl@centurylink.com</a>
	Phil Grate		<a href="mailto:Phil.grate@centurylink.com">Phil.grate@centurylink.com</a>
	Josie Addington		<a href="mailto:Josie.addington@centurylink.com">Josie.addington@centurylink.com</a>
	Maura Reynolds		<a href="mailto:Maura.peterson@centurylink.com">Maura.peterson@centurylink.com</a>
Public Counsel	Lisa W. Gafken 800 Fifth Avenue Ste. 2000 Seattle, WA 98104-3188	(206) 464-6595	<a href="mailto:Lisa.gafken@atg.wa.gov">Lisa.gafken@atg.wa.gov</a>
	Sarah Laycock		<a href="mailto:SarahL2@atg.wa.gov">SarahL2@atg.wa.gov</a>
	Chanda Mak		<a href="mailto:ChandaM@atg.wa.gov">ChandaM@atg.wa.gov</a>
	Luther Caulkins		<a href="mailto:LutherC@atg.wa.gov">LutherC@atg.wa.gov</a>

**APPENDIX B  
PROCEDURAL SCHEDULE  
DOCKET UT-171082**

<b>EVENT</b>	<b>DATE</b>
Staff Direct Testimony	<b>April 6, 2018</b>
Company and Public Counsel Response Testimony and Exhibits	<b>June 1, 2018</b>
Staff Rebuttal Testimony and Exhibits; Cross-Answering Testimony and Exhibits	<b>July 3, 2018</b>
Cross-Examination Exhibits, Witness Lists, and Time Estimates	<b>July 17, 2018</b>
Evidentiary Hearing	<b>July 23, 2018</b>
Simultaneous Opening Post-Hearing Briefs	<b>August 23, 2018</b>
Simultaneous Reply Briefs	<b>September 12, 2018</b>