

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Joint Application of	)	DOCKET UT-100820
	)	
QWEST COMMUNICATIONS	)	
INTERNATIONAL INC. AND	)	ORDER 06
CENTURYTEL, INC.	)	
	)	
For Approval of Indirect Transfer of	)	ORDER GRANTING LATE-FILED
Control of Qwest Corporation, Qwest	)	PETITION TO INTERVENE OF
Communications Company LLC, and	)	T-MOBILE WEST CORPORATION
Qwest LD Corp.	)	
	)	
.....	)	

1 **PROCEEDINGS.** On May 13, 2010, Qwest Communications International Inc. (QCII) and CenturyTel, Inc. (CenturyLink) filed a joint application for expedited approval with the Washington Utilities and Transportation Commission (Commission) of the indirect transfer of control of QCII’s operating subsidiaries, Qwest Corporation, Qwest LD Corp., and Qwest Communications Company LLC (collectively Qwest) to CenturyLink.

2 **PETITIONS TO INTERVENE.** On June 29, 2010, the Commission received a late-filed petition to intervene on behalf of T-Mobile West Corporation (T-Mobile). T-Mobile asserts that it is a wireless carrier within the state of Washington.<sup>1</sup> T-Mobile states that it competes and interconnects with subsidiaries of both Qwest and CenturyLink.<sup>2</sup> T-Mobile claims that it is interested in intervening in this proceeding to protect its interconnection rights under what T-Mobile characterizes as “appropriate rates and conditions.”<sup>3</sup>

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<sup>1</sup> T-Mobile’s Petition, ¶ 3.

<sup>2</sup> *Id.* ¶¶ 3-4.

<sup>3</sup> *Id.* ¶ 5.

3 According to T-Mobile, it did not become aware of the matter before the Commission  
until June 25, 2010.<sup>4</sup> T-Mobile argues that, since it is not regulated by the  
Commission, it was not familiar with the Commission's practices.<sup>5</sup> T-Mobile pledges  
not to broaden the issues in this proceeding, and it agrees to abide by the established  
schedule.<sup>6</sup>

4 **RESPONSE TO LATE-FILED PETITION.** On July 1, 2010, the Commission  
issued a notice inviting the existing parties to the proceeding to comment on the late-  
filed petition by July 7, 2010. On July 7, 2010, the Commission Staff filed a response  
regarding the late-filed petition of T-Mobile (Staff's Response).

5 Staff agrees with T-Mobile that the wireless carrier is uniquely qualified to assist the  
Commission in examining the joint application.<sup>7</sup> Staff contends that the transaction  
will "concentrate substantial resources in one entity."<sup>8</sup> This, Staff argues, implicates  
wholesale charges and arrangements the joint applicants have with other carriers.<sup>9</sup>

6 **COMMISSION DECISION.** We consider petitions to intervene according to the  
standard set forth in WAC 480-07-355. This rule provides that the Commission may  
grant a petition to intervene if the petitioner discloses a substantial interest in the  
subject matter of the proceeding or if the petitioner's participation is in the public  
interest. The Commission may grant a late-filed petition to intervene if a petitioner  
states good cause including a satisfactory explanation of why the petition is untimely.

7 While we find that T-Mobile has demonstrated good cause for its late-filed petition,  
we also note that the proposed transaction has been public, and discussed by the  
media and trade press for over two months by the time T-Mobile became aware of it.  
That being said, none of the parties have opposed T-Mobile's Petition, and  
Commission Staff support T-Mobile's participation.

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<sup>4</sup> *Id.* ¶ 6.

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* ¶ 7.

<sup>7</sup> Staff's Response, ¶ 2.

<sup>8</sup> *Id.* ¶ 3.

<sup>9</sup> *Id.*

- 8 T-Mobile appears to have a substantial interest in the matter and has agreed not to broaden the issues. T-Mobile has also agreed to abide by the established schedule. We grant T-Mobile's petition. Further, we encourage T-Mobile to work with the other intervenors in presenting their cases so as to minimize resources and time.

**ORDER**

- 9 **THE COMMISSION ORDERS That** the late-filed petition to intervene of T-Mobile West Corporation is granted.

Dated at Olympia, Washington, and effective July 13, 2010.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

MARGUERITE E. FRIEDLANDER  
Administrative Law Judge

**NOTICE TO PARTIES: This is an Interlocutory Order of the Commission. Administrative review may be available through a petition for review, filed within 10 days of the service of this Order pursuant to WAC 480-07-810.**