

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of

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

To be Regulated Under an Alternative Form of Regulation Pursuant to RCW 80.36.135.

Docket No. UT-130477

STIPULATION FOR A SECOND ONE-YEAR EXTENSION OF THE AFOR AND PETITION TO MODIFY THE SETTLEMENT AND ORDER APPROVING THE SETTLEMENT IN ACCORDANCE WITH THE EXTENSION

- 1 This is a stipulation for a second one-year extension of the current plan of AFOR in this docket, and a petition to modify the settlement and order approving the settlement in accordance with the extension. The stipulating parties are the five CenturyLink companies listed above (“CenturyLink”), the Staff (“Staff”) of the Washington Utilities and Transportation Commission (Commission), and the Public Counsel Unit of the Washington Attorney General’s Office (Public Counsel). The other parties authorize the stipulating parties to represent that they do not oppose this stipulation.¹
- 2 The current plan, as amended by Order 07, contains provisions regarding what happens at the end of the AFOR in terms of timing and process. The relevant language from the plan of AFOR that was approved by the Commission on January 9, 2014, as amended June 18, 2020, is as follows:
- 2) The terms of this plan for AFOR will be effective upon approval by the Commission and will remain in effect until January 9, 2022 ~~for seven years~~ unless extended or modified by Commission order.
 - a) ~~During the six months prior to the 7-year anniversary of the AFOR,~~ CenturyLink shall file a petition to open a new AFOR docket on July

¹ Those parties are the Department of Defense, Sprint Corporation, now a subsidiary of T-Mobile USA, Inc. (the merger closed on April 1, 2020), and Integra (now Allstream).

1, 2021. CenturyLink will also provide the parties a new proposed plan of AFOR, without filing it in the docket, and the Commission's Staff will conduct a review of the provisions of this proposed AFOR to determine if changing conditions warrant modifications to the plan new provisions. All parties to this the AFOR proceeding will have access to the same material made available to Commission Staff by CenturyLink.

- b) During the course of that review any of the parties to this AFOR proceeding may propose or oppose modifications for consideration by Commission Staff. Upon conclusion of the review but not later than ~~the seven year anniversary~~ the January 7, 2022, CenturyLink will file the new plan, as either an agreed plan or a proposed plan, and the Commission will provide notice to the parties and hold a proceeding in which parties may advocate for or against the new plan.
- c) While the Commission deliberates, the terms of this AFOR shall continue in force.

3 As written, this provision would require CenturyLink to file a new plan of AFOR by July 1, 2021. As was the case last year, the parties' resources remain limited and stretched as all continue to manage through the changed and changing dynamics created by the Covid-19 pandemic. Furthermore, the parties are unaware of any pressing issue or concern necessitating the commencement of a new AFOR negotiation and proceeding at this time. Because resources within the company and likely for all parties are stretched thin, the parties believe that negotiations and resulting litigation can reasonably be postponed. CenturyLink does not anticipate seeking a third extension next year.

4 CenturyLink is planning to ask for additional regulatory freedoms in the next AFOR, but on balance can operate under the terms of the current plan for another year, given the circumstances. Thus, the stipulating parties have agreed to ask the Commission to extend the AFOR for one full year. The language in paragraph 2 of the existing plan, as amended by Order 07, would be modified as follows (shown in legislative format):

- 2) The terms of this plan for AFOR will be effective upon approval by the Commission and will remain in effect until January 9, ~~2022-2023~~ unless extended or modified by Commission order.

- a) CenturyLink shall file a petition to open a new AFOR docket on July 1, ~~2021~~2022. CenturyLink will also provide the parties a new proposed plan of AFOR, without filing it in the docket, and the Commission's Staff will conduct a review of the provisions of this proposed AFOR to determine if changing conditions warrant modifications to the plan new provisions. All parties to this AFOR proceeding will have access to the same material made available to Commission Staff by CenturyLink.
- b) During the course of that review any of the parties to this AFOR proceeding may propose or oppose modifications for consideration by Commission Staff. Upon conclusion of the review but not later than January 7~~9~~, ~~2022~~2023, CenturyLink will file the new plan, as either an agreed plan or a proposed plan, along with the plan it proposed to the parties on July 1, 2022, and the Commission will provide notice to the parties and hold a proceeding in which parties may advocate for or against the new plan.
- c) While the Commission deliberates, the terms of this AFOR shall continue in force.

5 CenturyLink and the stipulating parties respectfully request the Commission to grant this petition expeditiously.

Submitted this 15th day of June 2021.

CENTURYLINK

/s/ Adam L. Sherr

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