

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

THE CENTURLINK 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 UT-130477

ORDER 09

GRANTING THIRD PETITION TO
EXTEND ALTERNATIVE FORM
OF REGULATION PLAN AND
AMENDING ORDER 04

BACKGROUND

- 1 On January 9, 2014, the Washington Utilities and Transportation Commission (Commission) entered Order 04 approving and adopting settlement agreements between 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), Commission Staff (Staff), the Public Counsel Unit of the Office of the Attorney General (Public Counsel), Sprint Nextel Corporation, and the United States Department of Defense and other federal executive agencies. The settlement agreements established an alternative form of regulation (AFOR) for the Company pursuant to RCW 80.36.135.
- 2 On June 5, 2020, CenturyLink, Staff, and Public Counsel (collectively Stipulating Parties) filed a stipulation for a one-year extension of the current AFOR plan in this docket, and a petition to modify the settlement and order approving the settlement in accordance with the extension (Petition).
- 3 On June 18, 2020, the Commission entered Order 07, granting the Petition and amending Order 04 as the Stipulating Parties requested.
- 4 On June 15, 2021, the Stipulating Parties filed a stipulation for a second one-year extension of the amended AFOR plan and petition to modify Order 04 accordingly (Second Petition).
- 5 On June 18, 2021, the Commission entered Order 08, granting the Second Petition and amending Order 04.

- 6 On June 6, 2022, CenturyLink filed a third petition for another one-year extension of the amended AFOR plan and to modify Order 04 accordingly (Third Petition).
- 7 As amended by Order 08, the AFOR plan expires on January 9, 2023, and requires Staff to review the plan beginning six months in advance of the plan's expiration, to determine whether changing conditions warrant modification of the plan. CenturyLink contends that conducting such a review would unduly strain party and Commission resources in light of other proceedings before the Commission involving the Company and the continuing COVID-19 pandemic. CenturyLink, therefore, seeks a third one-year extension of the plan and does not anticipate requesting a fourth.
- 8 CenturyLink proposes the following revisions to paragraph 2 of the Amended Stipulated Plan for Alternative Form of Regulation:¹
- 2) The terms of this plan for AFOR will be effective upon approval by the Commission and will remain in effect until January 9, ~~2023~~2024, unless extended or modified by Commission order.
 - a) CenturyLink shall file a petition to open a new AFOR docket on ~~July 1, 2022~~July 3, 2023. 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 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 9, ~~2023~~2024, 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~~July 3, 2023, 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.²

¹ Order 04, Appendix A (Staff/Public Counsel Settlement), Attachment A.

² Third Petition ¶ 4. Added text is underlined, and deleted text is stricken through.

9 CenturyLink states that it has consulted with the other parties and that they authorize the Company to represent they do not oppose this petition.

DISCUSSION

10 We grant the Third Petition. Although neither we nor the parties anticipated a third request to extend the effectiveness of the current AFOR, no pressing issues or concerns with the plan have been brought to our attention. We expect that this will be the last time we agree that continuing the current AFOR for an additional year will conserve Commission and party resources during what continue to be extraordinary times. Accordingly, we modify Order 04 to incorporate CenturyLink's proposed revisions.

ORDER

THE COMMISSION ORDERS That

- 11 (1) The Commission grants the third petition for a one-year extension of the current plan of alternative form of regulation the Commission approved in Order 04.
- 12 (2) The Commission amends paragraph 2 of the Amended Stipulated Plan for Alternative Form of Regulation attached as Appendix A, Attachment A, to Order 04, as amended in Order 08, as provided in paragraph 8 of this Order.
- 13 (3) The Commission retains jurisdiction to enforce the terms of the orders in this docket.

DATED at Lacey, Washington and effective June 13, 2022.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chair

ANN E. RENDAHL, Commissioner