

August 26, 2010

**NOTICE OF BENCH REQUESTS
(Due by Monday, August 30, 2010, at 3:00 p.m.)**

RE: *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*

The Washington Utilities and Transportation Commission (Commission) seeks information in the form of the following bench requests from Sprint Nextel Corporation (Sprint).

On August 12, 2010, Sprint filed a request to compel Qwest Communications International Inc. (QCII) and CenturyTel, Inc. (CenturyLink, collectively with QCII, Joint Applicants) to respond to Sprint Data Request (DR) Nos. 5, 13, 14, 41, and 42 (Sprint's Motion).¹ Sprint included copies of the DRs and the responses from Joint Applicants with its request. The Commission issued a Notice of Opportunity to Respond to the Motion by August 20, 2010. On August 20, 2010, Joint Applicants filed its response to Sprint's Motion (Joint Applicants' Answer).

BENCH REQUEST NO. 3:

With regard to DR No. 5, Sprint initially requested information from Joint Applicants regarding their total revenues generated over their Washington networks for the following telecommunications services: broadband Internet access; wireless service; long distance service; any products or services provided outside the incumbent local exchange carrier (ILEC) service territory; video entertainment, cable television, video satellite dish, or comparable service; residential and business customer premises equipment; other services such as maintenance contracts, consulting services, security services, or comparable services; and local area network, wide area network, or other comparable private network service. *Sprint's Motion, ¶ 7 and Appendix A.* Sprint concedes that it subsequently narrowed this request to seek Joint Applicants' total revenue for services provided over the intrastate network without the need for revenue totals to be broken out by service. *Id., ¶ 7.*

¹ In its Motion, Sprint reserved its right to bring an additional motion to compel against Joint Applicants for DR Nos. 3, 6, 12, 17, 24, 27, 28, 29, 32-36, 44, and 47.

Joint Applicants contend that information responsive to this narrowed DR was provided to Sprint by Qwest on August 13 and by CenturyLink on August 20, 2010. *Joint Applicants' Answer*, ¶ 3. Joint Applicants, as a result, contend the controversy regarding this DR is resolved. *Id.*

Sprint is directed to indicate whether Joint Applicants did provide information to it on August 13 and August 20, 2010 and whether the information provided by Joint Applicants has now rendered the controversy relating to DR No. 5 moot. If Sprint does not agree that the Motion is moot with regard to DR No. 5, Sprint shall indicate its reasoning for this conclusion.

BENCH REQUEST NO. 4:

With regard to DR Nos. 41 and 42, Sprint requested the number of Joint Applicants' local access lines and total revenues from those access lines in Washington. *Sprint's Motion*, ¶ 9 and Appendix A. Sprint stated that Qwest provided a narrow response and had designated this response as "Highly Confidential." *Id.*, ¶ 9. Sprint argued that the designation should be modified to "Confidential." *Id.*

Joint Applicants contend that it re-designated the information as "Confidential" on August 13, 2010, pursuant to Sprint's request. *Joint Applicants' Answer*, ¶ 7. Joint Applicants also argue that CenturyLink provided Sprint with additional information on August 13, 2010, including access line counts and revenues. *Id.*, ¶ 8. They maintain that Sprint's Motion as to DR Nos. 41 and 42 is moot. *Id.*

Sprint is directed to indicate whether Joint Applicants did provide additional information to it on August 13 in response to DR Nos. 41 and 42 and whether the requested designation change was made. Further, Sprint shall indicate whether its Motion relating to DR Nos. 41 and 42 is moot. If Sprint does not agree that the Motion is moot with regard to these data requests, Sprint shall state its reasoning for this conclusion.

Please respond to these Bench Requests no later than Monday, **August 30, 2010**, by 3:00 p.m., with an original and **twelve (12)** copies. If you have any questions concerning these requests, please contact Administrative Law Judge Marguerite E. Friedlander at 360-664-1285, or via e-mail at mfriedla@utc.wa.gov.

Sincerely,

MARGUERITE E. FRIEDLANDER
Administrative Law Judge

cc: All Parties