

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

**WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,**

Complainant,

v.

**CENTURYLINK COMMUNICATIONS,
LLC,**

Respondent.

DOCKET UT- 181051

**EXHIBIT TO
TESTIMONY OF**

STACY J. HARTMAN

**ON BEHALF OF
CENTURYLINK COMMUNICATIONS, LLC**

CLC RESPONSE TO DATA REQUEST PC 16, 40C

March 31, 2022

REDACTED

Shaded Information is CONFIDENTIAL Per Protective Order in Docket No. UT-181051

Docket UT-181051

CenturyLink's Responses to Public Counsel DR Nos. 7 – 19

Date: June 25, 2021

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PC-16 Did CenturyLink qualify at least two vendors for the optical network that failed? If so, why was only one vendor deployed?

RESPONSE:

CLC objects to this data request on the grounds that it is not reasonably calculated to lead to the discovery of admissible evidence. This data request, by inquiring about CLC's "optical network system," appears to be asking about CLC's national transport network. As discussed in response to PC-3 and PC-4, the network outage did not directly affect CLC's or its affiliates' remaining 911 network in Washington. Instead, it affected CLC's national transport network. More specifically, the outage affected the *interstate DS-3 circuits* purchased by a vendor of Comtech on behalf of Comtech (for the provision of SS7 functionality), the responsible Washington 911 provider for the PSAPs that experienced a 911 outage. The interstate and non-regulated services provided on CLC's national transport network, and the facilities utilized to provide such services, are not regulated by the Commission, and the Commission lacks jurisdiction over them. *In Re AT&T Commc'ns of the Pac. Nw.*, No. 04, 2003 WL 23341214 (Wash. U.T.C. Dec. 1, 2003) "*AT&T's proposed language would encompass facilities-access purchased out of federal tariffs over which the Commission lacks jurisdiction.*" (citing 34th Supplemental Order; Order Regarding Qwest's Demonstration of Compliance with Commission Orders, *Investigation Into U S WEST Communications, Inc.'s Compliance With Section 271 of the Telecommunications Act of 1996*; *U S WEST Communications, Inc.'s Statement of Generally Available Terms Pursuant to Section 252(f) of the Telecommunications Act of 1996*, Dkt. Nos. UT-003022, UT-003040, ¶ 22 (May 2002)); *MilleniaNet Corp. v. Pennsylvania Pub. Util. Comm'n*, No. 990 C.D. 2008, 2009 WL 9104922 (Pa. Commw. Ct. Apr. 30, 2009) (complaint dismissed because the "the PUC does not have jurisdiction over interstate telecommunications services."). Without waiving its objections, CLC responds as follows.

CenturyLink utilizes multiple optical network vendors.

Respondent: Martin Valence, Vice President Network Operations Center

PC-40C CenturyLink claims in its response to Public Counsel Data Request 3 that the only failures they were aware of were in two DS-3s between TNS and Comtech. Comtech states in its response to UTC Data Request 3 that there were [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]? [REDACTED]?

RESPONSE:

CLC objects to this data request on the grounds that it is not reasonably calculated to lead to the discovery of admissible evidence. This data request seeks to investigate an outage on CLC's national transport network. The outage did not directly affect CLC's or its affiliates' remaining 911 network in Washington. Instead, it affected CLC's national transport network. More specifically, the outage affected *interstate DS-3 circuits* purchased by a vendor of Comtech on behalf of Comtech (for the provision of SS7 functionality), the responsible Washington 911 provider for the PSAPs that experienced a 911 outage. The interstate and non-regulated services provided on CLC's national transport network, and the facilities utilized to provide such services, are not regulated by the Commission, and the Commission lacks jurisdiction over them. *In Re AT&T Commc'ns of the Pac. Nw.*, No. 04, 2003 WL 23341214 (Wash. U.T.C. Dec. 1, 2003) ("AT&T's proposed language would encompass facilities-access purchased out of federal tariffs over which the Commission lacks jurisdiction.") (citing 34th Supplemental Order; Order Regarding Qwest's Demonstration of Compliance with Commission Orders, *Investigation Into U S WEST Communications, Inc.'s Compliance With Section 271 of the Telecommunications Act of 1996; U S WEST Communications, Inc.'s Statement of Generally Available Terms Pursuant to Section 252(f) of the Telecommunications Act of 1996*, Dkt. Nos. UT-003022, UT-003040, ¶ 22 (May 2002)); *MilleniaNet Corp. v. Pennsylvania Pub. Util. Comm'n*, No. 990 C.D. 2008, 2009 WL 9104922 (Pa. Commw. Ct. Apr. 30, 2009) (complaint dismissed because the "the PUC does not have jurisdiction over interstate telecommunications services."). Without waiving its objections, CLC responds as follows.

Comtech, and not CLC, was responsible for designing, constructing and maintaining its Washington 911 network, including the links and other equipment that provide required SS7 functionality to support the transmission of calls between ESInet1 and ESInet2 over the Comtech ITT.

Prior to the December 2018 network event, CenturyLink did not have visibility into which circuits TNS and/or Comtech may have ordered from CLC in order to provide SS7 functionality to Comtech in support of Comtech's 911 services in Washington. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[Redacted text block]

[Redacted text block]

In terms of CLC's awareness, CLC was aware that its entire Infinera transport network was impaired by the December 2018 network event. It was not specifically aware of whether particular circuits ordered by Comtech/TNS were served by the Infinera network at the time of the event.

Respondent: CenturyLink Legal
Martin Valence, Vice President Network Operations Center