

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**

STAFF RESPONSES TO DATA REQUEST CLC 15, 17

March 31, 2022

REDACTED

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

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF
RESPONSES TO DATA REQUESTS

DATE PREPARED: January 27, 2022
DOCKET: UT-181051
REQUESTER: CenturyLink

WITNESS: Jacque Hawkins-Jones
RESPONDER: Jacque Hawkins-Jones
TELEPHONE: (360) 664-1105

REQUEST NO. 15:

Ms. Hawkins-Jones’s testimony claims that CenturyLink should have notified its PSAPs about the outage. Does Staff still take the position that CenturyLink had an obligation to notify its PSAP of CenturyLink’s network issues even if 911 calls destined to that particular PSAP were completing? If your response is anything other than no, please fully explain your response.

RESPONSE TO REQUEST NO. 15: Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects to this request to the extent it calls for the disclosure of: (a) Staff counsel’s legal analysis, legal conclusions, and/or mental impressions; (b) documents and/or information protected by the attorney-client privilege; and/or (c) protected work product. Staff further objects to this request to the extent it is premature and requests more than is required by the Commission’s rules and orders. Staff is in the process of issuing, reviewing, and analyzing the ongoing discovery in this matter. The discovery deadline is not until June 29, 2022. Staff, in conjunction with its counsel, will continue its investigation and analysis of case materials and documents furnished (as well as those yet to be produced) in discovery for potential use at hearing. The exhibit filing deadline is not until August 4, 2022. Staff reserves the right to supplement and/or amend its response and/or file exhibits as set forth in the procedural schedule in this case.

Subject to and without waiving the above objections, Staff provides the following response:

Yes. Given that the outage was intermittent, occurred over several days, and was state-wide, Staff maintains that CenturyLink should have notified all PSAPs that remained on its network during the outage. Furthermore, even if an area was not experiencing service impairment, the residents of that area may travel to other areas that were experiencing service impairment. Hawkins-Jones, Exh. JHJ-1CT at 9:1-7 (citing Hawkins-Jones, Exh. JHJ-8) (discussing attempt of an individual to contact 911 after a car accident while driving to work). See WAC 480-120-412.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF
RESPONSES TO DATA REQUESTS

DATE PREPARED: January 27, 2022
DOCKET: UT-181051
REQUESTER: CenturyLink

WITNESS: James Webber
RESPONDER: James Webber
TELEPHONE: (312) 952-6694

REQUEST NO. 17:

At page 15 of his Direct Testimony, Mr. Webber references WAC 480-120-450, which states “(1) Local exchange companies (LECs) must provide enhanced 9-1-1 (E911) services including: (a) For single line service, the ability for customers to dial 911 with the call and caller's ELIN transmitted to the E911 selective router serving the location associated with the ERL for that line.”

- a. Does Staff contend that WAC 480-120-450 prescribes the obligations of originating service providers (“OSPs”) or state 911 providers? Fully explain your response.
- b. Does Staff contend that CLC was an OSP for any of the failed 911 calls during the December 2018 outage? Fully explain your response, and identify the number of failed 911 calls Staff contends CLC was an OSP.
- c. Does Staff contend that CLC or any affiliate in Washington failed to provide their local exchange, end user customers with “the ability for customers to dial 911 with the call and caller's ELIN transmitted to the E911 selective router serving the location associated with the ERL for that line”? If your response is anything other than no, please fully explain your response and produce all data, documents or other information supporting your response.

CONFIDENTIAL RESPONSE TO REQUEST NO. 17: Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects to this request to the extent it calls for the disclosure of: (a) Staff counsel’s legal analysis, legal conclusions, and/or mental impressions; (b) documents and/or information protected by the attorney-client privilege; and/or (c) protected work product. Staff further objects on the basis that the material sought by the request is: (a) already in the Company’s possession, custody, or control; (b) publically available; and/or (c) obtainable from some other source that is more convenient, less burdensome, or less expensive. Staff further objects to this request to the extent it is premature and requests more than is required by the Commission’s rules and orders. Staff is in the process of issuing, reviewing, and analyzing the ongoing discovery in this matter. The discovery deadline is not until June 29, 2022. Staff, in conjunction with its counsel, will continue its investigation and analysis of case materials and documents furnished (as well as those yet to be produced) in discovery for potential use at hearing. The exhibit filing deadline is not until August 4, 2022. Staff reserves the right to supplement and/or amend its response and/or file exhibits as set forth in the procedural schedule in this case.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF
RESPONSES TO DATA REQUESTS

DATE PREPARED: January 27, 2022

WITNESS: James Webber

DOCKET: UT-181051

RESPONDER: James Webber

REQUESTER: CenturyLink

TELEPHONE: (312) 952-6694

Subject to and without waiving the above objections, Staff provides the following response:

a. WAC 480-120-450 concerns the obligations of local exchange carriers, and may apply to OSPs or state 911 providers to the extent they are local exchange carriers.

b. As used in Staff's testimony, the reference to originating service provider [REDACTED]
[REDACTED]
[REDACTED] As such, Staff maintains that CenturyLink is responsible for all of the failed calls identified in Mr. Webber's testimony.

c. Yes. See Webber, Exh. JDW-1CT at 17:4 – 60:9, including all supporting exhibits.