

**In the Matter of the Petition of the Qwest Corporation,
et al.**

Docket No. UT-240029 - Vol. IV

September 16, 2024



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BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

CENTURYLINK COMPANIES - QWEST)
CORPORATION; CENTURYTEL OF)
WASHINGTON; CENTURYTEL OF)
INTERISLAND; CENTURYTEL OF COWICHE;))
AND UNITED TELEPHONE COMPANY OF THE)
NORTHWEST)
) DOCKET NO. UT-240029
to be Competitively Classified)
Pursuant to RCW 80.320)
) PAGES 317-326

STATUS CONFERENCE - VOL IV
September 16, 2024
BEFORE ADMINISTRATIVE LAW JUDGE
M. HAYLEY CALLAHAN

TAKEN REMOTELY VIA VIDEOCONFERENCE
Washington Utilities and Transportation Commission
621 Woodland Square Loop SE
Lacey, Washington 98504

TRANSCRIBED BY: ELIZABETH PATTERSON HARVEY, WA CCR 2731

September 16, 2024

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JUDGE CALLAHAN: -- did not hear. Okay. Now
it's recording. Okay. So it wasn't recorded before
because she did not hear me. Now it's on the record.

Okay. So do either of you want to go ahead and
read the schedules in the record?

Did you come up with any resolution regarding
the schedule?

ATTORNEY ROBERSON: We did.

I should also point out public counsel is a
statutory party. They're also here.

JUDGE CALLAHAN: So --

ATTORNEY ROBERSON: To the extent that all the
parties are here, it's important to me that we be clear
that there are three, and they're all in the room.

JUDGE CALLAHAN: Okay. So we have the staff,
we have the public counsel, and we have the company. All
right.

ATTORNEY ROBERSON: Yes.

JUDGE CALLAHAN: So the --

ATTORNEY ROBERSON: In terms of the schedule, I
can read it in if you'd like.

JUDGE CALLAHAN: Yes, please.

A P P E A R A N C E S

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ATTORNEY ROBERSON: Okay. So the parties
envision a 30-day negotiation period where they would do
nothing but negotiate. That will end on October 16th.

At that point, they will provide an update to
the commission if they feel that negotiations require
further time. So basically an update on the progress of
settlement talks.

JUDGE CALLAHAN: Okay. So I just want to
remind you that the AFOR expiration date is going to be
on January 9th, 2025. Is it your understanding as well?

ATTORNEY ROBERSON: Yes, that's --

ATTORNEY SHERR: Your Honor --

ATTORNEY ROBERSON: Sorry. Go ahead.

ATTORNEY SHERR: Sure, Jeff. Sorry.

Yes, your Honor. We do understand that, except
that I believe the commission extended it pending the
resolution of this case. So as long as the case is still
pending, I believe.

And Jeff or Tad can correct me if I'm
incorrect, but I believe it continues in place until this
proceeding, the petition for competitive classification,
is resolved either through litigation or through
negotiation.

JUDGE CALLAHAN: Okay. Mr. O'Neill, I'm going
to ask for you to speak up. Is that your understanding

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1 as well?

2 ATTORNEY O'NEILL: The parties discussed prior

3 to this hearing, and that was the understanding that the

4 parties reached, that the order -- in the order, it says

5 that the prior AFOR is continued until the resolution of

6 this matter. And so that's -- that has been the working

7 interpretation of the parties.

8 JUDGE CALLAHAN: So good. So everybody is on

9 the same page.

10 So now I have extension 30 days. So is there

11 anything else other than that?

12 ATTORNEY ROBERSON: Yes.

13 JUDGE CALLAHAN: Go ahead, please.

14 ATTORNEY ROBERSON: So assuming that

15 negotiations do not bear fruit, the parties have

16 procedural dates for the remainder of this proceeding.

17 Testimony, both cross answering and rebuttal,

18 would be due November 8th, 2024.

19 JUDGE CALLAHAN: Okay.

20 ATTORNEY ROBERSON: Cross exhibits, cross

21 estimates, and errata would be due November 14th, 2024.

22 JUDGE CALLAHAN: Okay.

23 ATTORNEY ROBERSON: The parties have set aside

24 November 21st and 22nd, 2024, for the hearing.

25 JUDGE CALLAHAN: 21st, okay. Can you bear with

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1 me one second? Let me check my calendar.

2 Okay. What day again, please?

3 ATTORNEY ROBERSON: November 21st and 22nd.

4 JUDGE CALLAHAN: 21st, 22nd November. Okay.

5 ATTORNEY ROBERSON: And I should say, I'm not

6 sure that it would be a two-day hearing. But we figured

7 better safe than sorry.

8 JUDGE CALLAHAN: Yes. We can block the dates,

9 you know.

10 ATTORNEY ROBERSON: Yes. Briefs would be due

11 December 20th, 2024.

12 JUDGE CALLAHAN: Okay.

13 ATTORNEY ROBERSON: And by statute, it's

14 modified by Lumen's agreement to extend the six-month

15 deadline.

16 The order for final disposition of this matter

17 would be due January 17th, 2025.

18 ATTORNEY SHERR: And CenturyLink confirms that

19 we're willing to extend the deadline to accommodate these

20 discussions and the schedule.

21 JUDGE CALLAHAN: Okay. Good.

22 ATTORNEY ROBERSON: We did not provide for an

23 additional public comment hearing because the commission

24 has already held some.

25 JUDGE CALLAHAN: Right. Right.

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1 ATTORNEY ROBERSON: But if the commissioners

2 believe that that would be fruitful, you know, if you

3 reach out, we will help you schedule some.

4 JUDGE CALLAHAN: Mr. O'Neill, do you think it's

5 necessary to provide public additional public comment or

6 public hearing, public comment hearing?

7 ATTORNEY O'NEILL: I don't, Your Honor. There

8 has been robust participation by the public in two

9 separate public comment hearings, as well as through a

10 very robust public comment exhibit that was filed in the

11 last hearing. So I don't think that it's necessary.

12 But as Mr. Roberson indicated, public counsel

13 is willing to facilitate another one if the commission or

14 commissioners believe that it is.

15 JUDGE CALLAHAN: Okay. Do you anticipate to

16 submit more public comment?

17 Right now, we issued the order. Do you

18 anticipate to submit additional public comments?

19 ATTORNEY O'NEILL: I don't. The public

20 comments, both of them were premised off of a notice for

21 a competitive classification, so the exact issue that's

22 being resolved here.

23 So I believe that the commission has received

24 pertinent public comment, and that will be applicable to

25 this hearing. So we may resubmit it, but I don't

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1 anticipate opening -- reopening the record.

2 JUDGE CALLAHAN: Okay, okay. All right. I'm

3 clear.

4 Okay. Is there anything else you need to read

5 into the record?

6 I'm going back to Mr. Roberson. Okay. Is

7 there anything else you need to read into the record?

8 ATTORNEY ROBERSON: Not at this time.

9 JUDGE CALLAHAN: Okay, so I'm going to go

10 around with each party.

11 Mr. Sherr, is there any concern, any issues you

12 need to address today?

13 ATTORNEY SHERR: No, thank you. Thank you,

14 your Honor.

15 JUDGE CALLAHAN: Okay.

16 Mr. O'Neill, any issue, any concern you need to

17 -- you want us to address today?

18 ATTORNEY O'NEILL: No, thank you. No, there's

19 -- the parties have all discussed this, and I think this

20 is an agreed order.

21 JUDGE CALLAHAN: Okay. So in that case, I will

22 issue an order shortly containing the procedural schedule

23 and the other guidelines for the disposition of this

24 case.

25 And now we are adjourned.

1 ATTORNEY SHERR: Thank you, your Honor.
2 ATTORNEY O'NEILL: Thank you, your Honor.
3 JUDGE CALLAHAN: Thank you. Bye.
4 (Proceedings concluded at 1:50 p.m.)
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1 CERTIFICATE

2
3 STATE OF WASHINGTON)
4) ss
5 COUNTY OF KING)
6

7 I, Elizabeth Patterson Harvey, a Certified
8 Court Reporter and Registered Professional Reporter
9 within and for the State of Washington, do hereby
10 certify under penalty of perjury that the foregoing legal
11 recordings were transcribed under my direction; that I
12 received the electronic recording in the proprietary
13 format; that I am not a relative or employee of any
14 attorney or counsel employed by the parties hereto, nor
15 financially interested in its outcome.

16 IN WITNESS WHEREOF, I have hereunto set my
17 hand this 30th day of September, 2024.
18

19
20
21 
22 Elizabeth Patterson Harvey, CCR 2731
23
24
25



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