

UTC STAFF DATA REQUEST NO. 13:

Re: Financial Disclosure

Please provide all materials provided by either Qwest or CenturyLink to the U.S. Department of Justice and/or the Federal Trade Commission under the provisions of the Hart-Scott-Rodino Act.

RESPONSE:

CenturyLink objects to this data request as it is overly broad, it seeks materials that are not relevant or material to the Commission's review and determinations to be made under Chapters 80.12 RCW and 480-143 WAC, and is not reasonably calculated to lead to the discovery of admissible evidence. By indiscriminately seeking "all" materials provided under the provisions of the Hart-Scott-Rodino Act, the request includes the discovery of documents related to matters outside the scope of the Commission's jurisdiction, documents that are irrelevant to the applicability of the Commission's review standard, documents which contain highly sensitive, competitive information, or information that may disclose confidential third-party information. Such an overly broad sweep of "all" materials is not only objectionable but increases the risk that highly confidential, competitively sensitive information could be inadvertently released into the public domain and, thereby, become accessible to CenturyLink's competitors. The request is also objectionable to the extent that it requests information that is subject to the attorney/client privilege.

CenturyLink notes that it will be filing a motion to amend the protective order in this proceeding. The motion will seek a provision that will limit disclosure of highly sensitive competitive information to Commission Staff and Public Counsel. Without waiving the foregoing objection and subject to applicable protective order provisions, CenturyLink does intend to submit a response containing many of the HSR documents by June 29, 2010.

Respondent: John Felz

Response Date: June 23, 2010

Docket No. UT-100820
Response to UTC Staff Data Request No 133
Respondent: Chris Schneider
Witness: None
Response Date: July 28, 2010

UTC STAFF DATA REQUEST NO. 133:
Re: Financial Disclosure

For any document or any portion of a document withheld under a claim of privilege from the Hart-Scott-Rodino filings by Qwest or CenturyLink, or for any incomplete response to an item on the Notification and Report Form associated with such filings, please provide a copy of the statement of reasons for such noncompliance, or any equivalent document, submitted in compliance with 16 C.F.R. 803.3. Please consider this to be an ongoing request.

RESPONSE:

CenturyLink did not withhold any documents under a claim of privilege, nor did it submit any incomplete responses in its Hart Scott Rodino filings. Accordingly, there are no documents responsive to this request.

June 24, 2010

Washington
UT-100820
Staff 2-13

INTERVENOR: Washington Utilities and Transportation Commission Staff

REQUEST NO: 13

Please provide all materials provided by either Qwest or CenturyLink to the U.S. Department of Justice and/or the Federal Trade Commission under the provisions of the Hart-Scott-Rodino Act.

RESPONSE:

Qwest objects to this data request as it is overly broad, it seeks materials that are not relevant or material to the Commission's review and determinations to be made under Chapters 80.12 RCW and 480-143 WAC, and is not reasonably calculated to lead to the discovery of admissible evidence. By indiscriminately seeking "all" materials provided under the provisions of the Hart-Scott-Rodino Act, the request includes the discovery of documents related to matters outside the scope of the Commission's jurisdiction, documents that are irrelevant to the applicability of the Commission's review standard, documents which contain highly sensitive, competitive information, or information that may disclose confidential third-party information. Such an overly broad sweep of "all" materials is not only objectionable but increases the risk that highly confidential, competitively sensitive information could be inadvertently released into the public domain and, thereby, become accessible to Qwest's competitors. The request is also objectionable to the extent that it requests information that is subject to the attorney/client privilege.

Qwest notes that it will be filing a motion to amend the protective order in this proceeding. The motion will seek a provision that will limit disclosure of highly sensitive competitive information to Commission Staff and Public Counsel. Without waiving the foregoing objection and subject to applicable protective order provisions, Qwest does intend to submit a response containing many of the HSR documents by June 29, 2010.

Respondent, Qwest Legal

July 28, 2010

Washington
UT-100820
Staff 8-133

INTERVENOR: Washington Utilities and Transportation Commission Staff

REQUEST NO: 133

For any document or any portion of a document withheld under a claim of privilege from the Hart-Scott-Rodino filings by Qwest or CenturyLink, or for any incomplete response to an item on the Notification and Report Form associated with such filings, please provide a copy of the statement of reasons for such noncompliance, or any equivalent document, submitted in compliance with 16 C.F.R. 803.3. Please consider this to be an ongoing request.

RESPONSE:

Qwest did not submit any incomplete responses in its Hart Scott Rodino filings. Please see Confidential attachment 1 (specifically the last page) for an explanation and privilege log of documents withheld under a claim of privilege.

Respondent: Qwest Legal
Witness: None