

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

CENTURYLINK COMMUNICATIONS,  
LLC D/B/A LUMEN TECHNOLOGIES;  
QWEST CORPORATION; CENTURYTEL  
OF WASHINGTON, INC.; CENTURYTEL  
OF INTER ISLAND, INC.; CENTURYTEL  
OF COWICHE; AND UNITED  
TELEPHONE COMPANY OF THE  
NORTHWEST,

Respondent.

DOCKET UT-240117

COMPLAINT

and

NOTICE OF PREHEARING  
CONFERENCE

(Set for Wednesday, April 30,  
2025, at 9:30 a.m.)

1 The Washington Utilities and Transportation Commission (Commission), on its own  
motion, and through its regulatory staff (Commission Staff or Staff), alleges as follows:

**I. PARTIES**

2 The Commission is an agency of the state of Washington authorized by statute to regulate  
the rates, services, facilities, and practices of public service companies, including  
telecommunication companies.

3 CenturyLink Communications, LLC d/b/a Lumen Technologies; Qwest Corporation;  
CenturyTel of Washington, Inc.; CenturyTel of Inter Island, Inc.; CenturyTel of  
Cowiche; and United Telephone Company of the Northwest (collectively CenturyLink or  
Company) are “public service companies” providing telecommunications service within  
the state of Washington subject to the regulatory authority of the Commission.

**II. BACKGROUND**

4 Informal consumer complaints to the Commission have noticeably increased over the last  
five years with respect to CenturyLink services. In 2020, the Commission’s Consumer  
Protection Staff closed 200 informal consumer complaints against CenturyLink. In 2024,

that number increased to 661. Most of the complaints involved quality of service issues, including service outages, service interruptions, and service quality problems.

- 5 Consumer Protection Staff typically meets with CenturyLink representatives annually to discuss a variety of topics. During the 2022 annual meeting, Consumer Protection Staff expressed concerns to CenturyLink about the increase in service quality complaints. During the 2023 annual meeting, Consumer Protection Staff presented CenturyLink’s complaint trends, showing that the issues were escalating and not improving. The Company pointed to customer habits including being home more, copper wire theft, and aging infrastructure as potential causes of the complaint trends.
- 6 In March 2024, Commission Staff requested information from CenturyLink for January 1, 2023, through March 12, 2024, covering topics related to service quality and system maintenance. CenturyLink provided responsive data by July 12, 2024. Additionally, Commission Staff reviewed informal consumer complaints filed with the Commission between March 13, 2024, and January 31, 2025.
- 7 Data for the period April 1, 2023, through March 12, 2024, shows the number of customer complaints received by CenturyLink regarding service quality, service outages, and service interruptions. The Commission has previously found that 48 hours is an “appropriate benchmark for determining whether a company has “promptly” repaired or restored service problems in compliance with [Washington Administrative Code] WAC 480-120-411.”<sup>1</sup>
- 8 Between April 1, 2023, and March 12, 2024, CenturyLink failed to address service quality problems within 48 hours for 1,237 customers. For these customers, service quality problems persisted for a total of 38,642 days beyond 48 hours.
- 9 Between April 1, 2023, and March 12, 2024, CenturyLink failed to address service outages and service interruptions within 48 hours for 29,416 customers. For these customers, service outages and service interruptions persisted for a total of 769,627 days beyond 48 hours. Within this data set, CenturyLink identified 616 complaints associated with vandalism. Of the 616 vandalism complaints, 422 resulted in resolution that exceeded 48 hours, and the number of days beyond 48 hours for these customers totaled 6,978. Staff understands vandalism to refer to cable theft which is an extenuating circumstance that may require more than 48 hours to resolve. Removing the vandalism complaints from the overall data results in CenturyLink failing to address service outages and interruptions for 28,994 customers, resulting in service outages and interruptions

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<sup>1</sup> *In re: Amending and Repealing Certain Rules in WAC 480-120*, Docket UT-160196, General Order R-578, ¶ 18 (Sept. 22, 2016).

continuing 762,649 days beyond 48 hours.

- 10 Commission informal complaint data for the period March 13, 2024, through January 31, 2025, shows that CenturyLink failed to resolve service quality problems, service outages, and service interruptions for 505 customers within 48 hours. For these customers, service quality problems, service outages, and service interruptions persisted for a total of 26,537 days beyond 48 hours.
- 11 CenturyLink is required to respond to Commission-referred complaints and to requests for additional information within certain prescribed time frames. For Commission-referred complaints, CenturyLink is required to respond to urgent complaints within two business days under WAC 480-120-166. CenturyLink is required to respond to inquiries for additional information within three business days under WAC 480-120-166. CenturyLink is also required to keep Staff informed throughout the informal complaint process.
- 12 CenturyLink failed to provide Staff substantive responses, or in many instances, provided Staff no responses with respect to consumer complaints or requests for additional information. This has led to customers' service issues not being resolved in a timely manner, if at all. Between March 13, 2024, and January 31, 2025, 416 customers were negatively impacted due to CenturyLink's lack of or delay of information pertaining to customer service quality complaints filed with the Commission. The number of days beyond when CenturyLink was required to provide responses for these complaints is 8,008.
- 13 CenturyLink schedules appointments with customers to address service issues; however, CenturyLink's current business practices result in very poor customer service. CenturyLink continually misses appointments by simply not showing up on the scheduled date without notifying the customer. Customers often reschedule the missed appointments only to have those appointments missed over and over by the Company representative failing to show up. This negatively impacts customers, who often take time off from work and whose service problems continue without timely resolution.

### III. JURISDICTION

- 14 The Commission has jurisdiction over the subject matter of this complaint under chapter 34.05 Revised Code of Washington (RCW), RCW 80.01.040, RCW 80.01.060, RCW 80.04.070, RCW 80.04.080, RCW 80.04.090, RCW 80.04.110, RCW 80.04.380, chapter 80.36 RCW, RCW 80.36.080, RCW 80.36.260, and chapter 480-120 WAC, WAC 480-120-166, and WAC 480-120-411.

#### IV. APPLICABLE LAW

- 15 The Commission regulates public service companies pursuant to a delegation of authority from the legislature. The Commission regulates in the public interest the services, facilities, and practices of telecommunication companies. *See* RCW 80.01.040(2); RCW 81.01.010.
- 16 The Commission may file a complaint upon its own motion setting forth any act or omission by any public service company that violates any law or any order or rule of the Commission. RCW 80.04.110.
- 17 The Commission may order telecommunication companies to make changes to secure adequate service or facilities for telecommunications communications. RCW 80.36.260.
- 18 The Commission may require public service companies to file annual reports in such form as and containing such information as the Commission requires. *See* RCW 80.04.080, RCW 80.04.090.
- 19 Every public service company, and all officers, agents and employees of any public service company, shall obey, observe and comply with every order, rule, direction or requirement made by the Commission under RCW Title 80. Any public service company which shall violate or fail to comply with any provision of this title, or which fails, omits or neglects to obey, observe or comply with any order, rule, or any direction, demand or requirement of the Commission, shall be subject to a penalty of not to exceed the sum of \$1,000 for each and every offense. Every violation of any such order, direction or requirement of this title shall be a separate and distinct offense, and in case of a continuing violation every day's continuance thereof shall be and be deemed to be a separate and distinct offense. RCW 80.04.380.
- 20 Every telecommunications company shall render and perform services in a prompt, expeditious, and efficient manner and the facilities, instrumentalities, and equipment furnished by it shall be safe, kept in good condition and repair, and its appliances, instrumentalities and service shall be modern, adequate, sufficient, and efficient. RCW 80.36.080.
- 21 Every telecommunications company shall provide adequate maintenance to ensure that all facilities are in safe and serviceable condition, correct immediately hazardous conditions endangering the continuity of service when found, reported, or known to exist, and promptly repair or replace broken, damaged, or deteriorated equipment when found to be no longer capable of providing adequate service. WAC 480-120-411.
- 22 Each telecommunications company shall, with respect to Commission-referred informal consumer complaints, stop any pending action involving the issues raised by the consumer, thoroughly investigate all issues raised in the complaint, provide a complete

report of the results of the investigation to the Commission, take corrective action as soon as appropriate, respond to service-affecting informal complaints to Commission Staff within two business days, and respond to requests for additional information within three business days. WAC 480-120-166.

#### **V. FIRST CAUSE OF ACTION (RCW 80.36.080)**

23 The Commission re-alleges paragraphs 2 through 22, above.

24 CenturyLink violated RCW 80.36.080 by failing to provide services in a sufficient, prompt, and reasonable manner and ensuring equipment and facilities were in good condition and repair, modern, adequate, sufficient, and efficient. These violations occurred when CenturyLink failed to resolve service quality issues, service outages, and service interruptions for 30,736 customers within 48 hours. CenturyLink failed to resolve the service quality issues, outages, and interruptions for these customers for 827,828 days beyond 48 hours. These violations, totaling 827,828, occurred between April 1, 2023, and January 31, 2025.

#### **VI. SECOND CAUSE OF ACTION (WAC 480-120-411)**

25 The Commission re-alleges paragraphs 2 through 22, above.

26 CenturyLink violated WAC 480-120-411 by failing to provide adequate maintenance to ensure that all facilities are in safe and serviceable condition, failing to immediately correct conditions endangering continuity of service, and failing to promptly repair or replace broken, damaged, or deteriorated equipment when found to no longer be capable of providing adequate service. These violations occurred when CenturyLink failed to resolve service quality issues, service outages, and service interruptions for 30,736 customers within 48 hours. CenturyLink failed to resolve the service quality issues, outages, and interruptions for these customers for 827,828 days beyond 48 hours. These violations, totaling 827,828, occurred between April 1, 2023, and January 31, 2025.

#### **VII. THIRD CAUSE OF ACTION (WAC 480-120-166)**

27 The Commission re-alleges paragraphs 2 through 22, above.

28 CenturyLink violated WAC 480-120-166 by failing to respond or timely respond to Commission-referred informal consumer complaints involving service-affecting complaints and by failing to respond or timely respond to Commission Staff's requests for additional information, for a total of 8,008 violations for each day CenturyLink failed to respond beyond the deadline between March 13, 2024, and January 31, 2025.

**VIII. FOURTH CAUSE OF ACTION (CUSTOMER APPOINTMENTS - RCW 80.01.040, RCW 80.04.080, RCW 80.04.090)**

- 29 The Commission re-alleges paragraphs 2 through 22, above.
- 30 CenturyLink has developed a practice resulting in extremely poor customer service with respect to customer appointments. CenturyLink often misses scheduled customer appointments. The Commission has the authority to order CenturyLink to change its practices, track data related to customer service appointments, and file annual reports regarding that data. RCW 80.01.040; RCW 80.28.260.

**IX. REQUEST FOR RELIEF**

- 31 Staff requests penalties ranging from \$5 to \$100 per violation for 827,828 violations of RCW 80.36.080. These violations are due to CenturyLink failing to provide services in a sufficient, prompt, and reasonable manner and ensuring equipment and facilities were in good condition and repair, modern, adequate, sufficient, and efficient. These violations occurred when CenturyLink failed to resolve service quality issues, service outages, and service interruptions for 30,736 customers within 48 hours. CenturyLink failed to resolve the service quality issues, outages, and interruptions for 827,828 days beyond 48 hours. These violations, totaling 827,828, occurred between April 1, 2023, and January 31, 2025. The penalty request is based on an escalating methodology based on the length of time the violations existed, in four-week increments, as follows:

<b>Weeks (Days)</b>	<b>Violations</b>	<b>Penalty per violation</b>	<b>Total penalty</b>
1 to 4 (3 to 30)	698,637	\$5	\$3,493,185
5 to 8 (31 to 60)	58,107	\$15	\$871,605
9 to 12 (61 to 90)	31,033	\$25	\$775,828
13 to 16 (91 to 120)	15,636	\$35	\$547,260
17 to 20 (121 to 150)	8,578	\$45	\$386,010
21 to 24 (151 to 180)	5,225	\$55	\$287,375
25 to 28 (181 to 210)	2,956	\$65	\$192,140
29 to 32 (211 to 240)	4,225	\$75	\$316,875
33 to 36 (241 to 270)	2,006	\$85	\$170,510
37 to 42 (271 to 315)	1,425	\$100	\$142,500
<b>TOTALS:</b>	<b>827,828</b>		<b>\$7,183,285</b>

- 32 Staff requests penalties ranging from \$5 to \$100 per violation for 827,828 violations of WAC 480-120-411. These violations are due to CenturyLink failing to provide adequate maintenance to ensure that all facilities are in safe and serviceable condition, failing to immediately correct conditions endangering continuity of service, and failing to promptly repair or replace broken, damaged, or deteriorated equipment when found to no longer be capable of providing adequate service. These violations occurred when CenturyLink

failed to resolve service quality issues, service outages, and service interruptions for 30,736 customers within 48 hours. CenturyLink failed to resolve the service quality issues, outages, and interruptions for these customers for 827,828 days beyond 48 hours. These violations, totaling 827,828, occurred between April 1, 2023, and January 31, 2025. The penalty request is based on an escalating methodology based on the length of time the violations existed, in four-week increments, as follows:

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<b>TOTALS:</b>	<b>827,828</b>		<b>\$7,183,285</b>

- 33 Staff requests penalties of \$150 per violation for 8,008 violations of WAC 480-120-166 for failure to respond or timely respond to service-affecting informal consumer complaints referred to CenturyLink by the Commission between March 13, 2024, and January 31, 2025.
- 34 Staff requests that the Commission, pursuant to its authority under RCW 80.01.040, RCW 80.04.080, RCW 80.04.090, find that CenturyLink’s business practices relating to customer appointments results in very poor customer service, which is not in the public interest. Staff requests that the Commission order CenturyLink to change its practices and to collect data showing when appointment requests are made, scheduled, rescheduled, and met. Staff requests that the customer appointment data be submitted in an annual report to the Commission.
- 35 Staff further requests that the Commission order such other or further relief as is appropriate under the circumstances.

## **X. PROBABLE CAUSE**

- 36 Based on a review of all supporting documents, and consistent with RCW 80.01.060 and WAC 480-07-307, the Commission finds probable cause exists to issue this complaint.

**XI. NOTICE OF PREHEARING CONFERENCE**

37 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.

38 **THE COMMISSION GIVES NOTICE That it will hold a virtual prehearing conference in this matter at 9:30 a.m. on Wednesday, April 30, 2025. To participate by phone, call (253) 215-8782 and enter the Meeting ID: 882 0381 5483# and Passcode 452578#. To attend via Zoom, please use the following link: [Click to join meeting](#).**

39 The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including establishing dates for distributing evidence, identify the issues in the proceeding, and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430.

40 **INTERVENTION:** Persons who wish to intervene should file a petition to intervene in writing at least three business days before the date of the prehearing conference. *See* WAC 480-07-355(a). The Commission will consider oral petitions to intervene during the conference, but strongly prefers written petitions to intervene. Party representatives must file a notice of appearance with the Commission no later than the business day before the conference. *See* WAC 480-07-345(2). Parties with more than one representative must identify one individual as the “lead” for purposes of official service. Any party or witness in need of an interpreter or other assistance should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place for any evidentiary hearings at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

41 **THE COMMISSION GIVES NOTICE** that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.

42 The names and mailing addresses of all known parties and their known representatives are as follows:

Respondent:	CenturyLink Communications, LLC d/b/a Lumen Technologies; Qwest Corporation; CenturyTel of Washington, Inc.; CenturyTel of Inter Island, Inc.; CenturyTel of Cowiche; and United Telephone Company of the Northwest Robert Thoms
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Director, Washington State Government Affairs and Public Policy  
120 Lenora Street, Suite 502  
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[robert.thoms@lumen.com](mailto:robert.thoms@lumen.com)

Representative: Adam Sherr  
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Complainant: Washington Utilities and Transportation Commission  
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Olympia, WA 98504-7250  
(360) 664-1160

Representative: Lisa W. Gafken  
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[lisa.gafken@atg.wa.gov](mailto:lisa.gafken@atg.wa.gov)

43 The Commissioners of the Washington Utilities and Transportation Commission and Administrative Law Judge Connor Thompson from the Commission's Administrative Law Division will preside during this proceeding.<sup>2</sup>

44 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Lacey, Washington, and effective March 31, 2025.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Connor Thompson  
CONNOR THOMPSON  
Acting Director, Administrative Law  
Division

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<sup>2</sup> Judge Thompson can be reached at 360-664-1346 or [connor.thompson@utc.wa.gov](mailto:connor.thompson@utc.wa.gov).

Inquiries may be addressed to:

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Executive Director and Secretary  
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(360) 664-1160

**NOTICE**

Hearings are accessible to persons with disabilities and persons who do not speak English as a first language. If limited English-speaking or hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please provide the information requested below via email to Stacey Brewster, paralegal, at [stacey.brewster@utc.wa.gov](mailto:stacey.brewster@utc.wa.gov).

(PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket: \_\_\_\_\_

Case Name: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Hearing Location: \_\_\_\_\_

Primary Language: \_\_\_\_\_

Hearing Impaired: (Yes) \_\_\_\_\_ (No) \_\_\_\_\_

Do you need a certified sign language interpreter:

Visual \_\_\_\_\_ Tactile \_\_\_\_\_

Other type of assistance needed: \_\_\_\_\_