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BEFORE THE WASHINGTON STATE

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UTILITIES AND TRANSPORTATION COMMISSION

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4 In the Matter of the Petition of ) Docket UT-132282  
5 QWEST CORPORATION d/b/a ) Pages 1-11  
6 CENTURYLINK QC )  
7 For Commission Approval of 2013 )  
8 Additions to its Non-Impaired Wire )  
Center List )

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PREHEARING CONFERENCE, VOLUME I

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Pages 1-11

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ADMINISTRATIVE LAW JUDGE STEPHANY A. WATSON

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1:30 P.M.

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JANUARY 22, 2014

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Washington Utilities and Transportation Commission, Room 206  
1300 South Evergreen Park Drive Southwest  
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OLYMPIA, WASHINGTON, JANUARY 22, 2014

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1:30 P.M.

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P R O C E E D I N G S

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JUDGE WATSON: Let's go on the record, then.

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My name is Stephany Watson. I'm the administrative law judge in this proceeding before the Washington Utilities and Transportation Commission. We are here today in Docket UT-132282. This is a prehearing conference: In the Matter of the Petition of Qwest Corporation d/b/a Centurylink QC For Commission Approval of the 2013 Additions to its Non-Impaired Wire Center List.

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And I do want to be clear. I don't know how I'm going to write this in the order that we mean the year 2013, not the number of additions to the list. But when I read my draft today, I thought it was somewhat odd, and I'll have to figure out a way to phrase that.

20

Anyway, this is a prehearing conference which our primary purpose is to discuss interventions, identify issues, discuss discovery, if necessary, and set a schedule.

23

So we have two of the parties appearing by teleconference. Ms. Cameron-Rulkowski is in the room. I would like to take appearances starting with CenturyLink, then Staff,

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1 and then the Intervenor.

2           Once, again, we have correct, complete  
3 identification, addresses, telephone numbers, and so on for all  
4 of you, we have confirmed that in the record, so it's fine with  
5 me to just let me know your name and who you represent.

6           MS. ANDERL: Thank you, Your Honor. This is Lisa  
7 Anderl, in-house attorney, representing CenturyLink and  
8 confirming that all of my contact information in our petition is  
9 unchanged from the date of filing.

10           JUDGE WATSON: Thank you.

11           MS. CAMERON-RULKOWSKI: Jennifer Cameron-Rulkowski,  
12 Assistant Attorney General, representing Commission Staff, and a  
13 notice of appearance is on file.

14           JUDGE WATSON: Thank you.

15           MR. DENNEY: This is Douglas Denney, Integra's vice  
16 president of costs & policy, and the company representative on  
17 behalf of Integra.

18           JUDGE WATSON: Thank you, Mr. Denney.

19           Integra has petitioned to intervene in this  
20 proceeding.

21           What are the parties' positions regarding this  
22 petition, please?

23           Ms. Anderl?

24           MS. ANDERL: Your Honor, well, we believe that our  
25 filing, including the confidential information, establishes that

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1 the criteria are met for adding the Yakima Chestnut wire center  
2 to the...

3 (Phone beeps.)

4 MS. ANDERL: ...list of unimpaired wire centers.

5 Do you want me to pause for a minute? Because it  
6 sounds like somebody dialed in.

7 JUDGE WATSON: This is Judge Watson.

8 Has someone joined us?

9 Mr. Denney?

10 MR. DENNEY: I'm still here.

11 JUDGE WATSON: Okay. Ghosts in the wires.

12 MS. ANDERL: Okay. But, you know, as per our  
13 discussions yesterday, we believe that it's also reasonable for  
14 Integra to have some time to verify the information contained in  
15 our confidential filing; that we have received the signed  
16 protective orders from two of Integra's Staff, including  
17 Mr. Denney. And we have already separately provided them the  
18 confidential -- the highly confidential information, and we're  
19 willing to agree, as we discussed yesterday, to some reasonable  
20 amount of time for review of that data by Integra and any other  
21 Intervenor we might find in today's proceeding.

22 JUDGE WATSON: And that implies, once again, showing  
23 my acute intellect, that you do not object to the intervention  
24 of Integra?

25 MS. ANDERL: That's correct. No objection to

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1 Integra's intervention.

2 Ms. Cameron-Rulkowski?

3 MS. CAMERON-RULKOWSKI: Staff also has no objection  
4 to Integra's intervention.

5 JUDGE WATSON: Okay. And my next question -- you got  
6 ahead of me, Ms. Anderl, which was good. I was going to ask if  
7 Integra had signed the confidentiality agreement and agreed to  
8 be bound by it. And I understand that Integra has done so,  
9 Staff has done so as well, so let's put the schedule that we  
10 discussed yesterday on the record.

11 The parties have agreed to a limited period of time  
12 for -- I guess I'll call it "document review," and I believe  
13 that we discussed yesterday having that period of time close at  
14 close of business February 14, 2014?

15 MS. ANDERL: Yes, Your Honor. That's agreeable.

16 JUDGE WATSON: Is that agreeable to Staff?

17 MS. CAMERON-RULKOWSKI: Yes. And Staff will be  
18 verifying any information that they may need to verify during  
19 this sort of this mini discovery period, and then would raise  
20 any issues in writing by the 14th if any were discovered.

21 JUDGE WATSON: And Integra, Mr. Denney?

22 MR. DENNEY: Yes, that's acceptable. Thank you.

23 JUDGE WATSON: Okay. I'm just taking a note here.

24 Will the parties need further discovery at this time  
25 that should be memorialized in an order, or shall we just

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1 proceed informally until close of business Valentine's Day?

2 MS. CAMERON-RULKOWSKI: Your Honor, from Staff's  
3 perspective, I don't believe that we anticipate needing formal  
4 discovery at this point. And if we did find that we did need  
5 it, then we would ask at a later time.

6 MS. ANDERL: Your Honor, CenturyLink doesn't  
7 contemplate doing any discovery of Integra or Staff at this  
8 point.

9 JUDGE WATSON: Okay. And, Mr. Denney?

10 MR. DENNEY: Based on our preliminary review of the  
11 data, we do not have any discovery of CenturyLink at this time.

12 JUDGE WATSON: Good. Then what we're going to do is  
13 defer ordering or requiring any formal discovery beyond this  
14 pleasant exchange of information before the 14th. And what we  
15 agreed to yesterday was to set a specific date for a status  
16 conference at which all of you would advise me whether or not  
17 you need further evidentiary process, and if so -- if so, would  
18 come prepared with a preliminary schedule to, you know, do the  
19 usual things that we would need to do if we were to have a  
20 hearing, such as exchange documents, cross-exhibits, that sort  
21 of thing, as well as the hearing itself.

22 So assuming if that's the case, if you need further  
23 process, then you would come with a schedule. And if you don't,  
24 you would advise me and everyone else presumably, that you had  
25 come to some sort of agreement that you would memorialize and

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1 file with the Commission, and we'd agree on a date for that.

2 Is that a fair characterization of what we talked  
3 about yesterday?

4 MS. ANDERL: Yeah, Your Honor. I think it  
5 encompasses the range of possibilities, including there not  
6 being an agreement per se, but rather that Integra being  
7 satisfied that the information contained in our petition is  
8 correct and would just file something saying, you know, perhaps  
9 no objection or no opposition, and then maybe you would want at  
10 that point to ask the parties if they would waive hearing and  
11 waive an initial order and then the Commission could just decide  
12 the matter on the paper record.

13 JUDGE WATSON: Great.

14 MS. ANDERL: And the reason I say that -- sorry to  
15 cut you off, but --

16 JUDGE WATSON: No, no.

17 MS. ANDERL: -- is so that we wouldn't necessarily  
18 have to go through the process of supporting a settlement  
19 agreement because it wouldn't be a settlement per se.

20 JUDGE WATSON: I appreciate you clearing that up for  
21 me, and I mean that sincerely.

22 Anyone else have anything to add to the way that I  
23 have characterized what the status conference will do?

24 MS. CAMERON-RULKOWSKI: What I was anticipating is  
25 what Ms. Anderl just described.



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1 JUDGE WATSON: And for Integra, Mr. Denney?

2 MR. DENNEY: Yes. We agree with the way that  
3 Ms. Anderl described that, and our expectation is that we will  
4 file on February 14th, you know, with our findings of the review  
5 of the data so it will be clear on that day, I think, as to  
6 whether further steps are going to be required or whether we  
7 have no objection.

8 JUDGE WATSON: Do you want me to memorialize that in  
9 the order that that would be the date for filing objections?

10 MS. ANDERL: Yes, Your Honor.

11 JUDGE WATSON: Okay.

12 MS. CAMERON-RULKOWSKI: And could I suggest that it  
13 state not only filing objections, but perhaps raising issues,  
14 which would probably be more in line with what Staff might be  
15 doing?

16 JUDGE WATSON: That's fine with me.

17 And the date that we agreed for the status  
18 conference?

19 MS. ANDERL: Your Honor, I thought we said February  
20 26th, but then I wasn't sure if that was a conflict on  
21 somebody's calendar.

22 JUDGE WATSON: That's what I wrote down.

23 Anybody want to comment on that?

24 MS. CAMERON-RULKOWSKI: That's what I thought, too,  
25 and that worked for me.

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1 MS. ANDERL: That's fine, yeah.

2 JUDGE WATSON: Okay. And, Integra? Does that work  
3 for you, Mr. Denney?

4 MR. DENNEY: Yes, Your Honor.

5 JUDGE WATSON: We'll do it in the afternoon, 1:30  
6 here, assuming the room's open. If not, we'll do it Room 108,  
7 and I'll put that in the order.

8 And does anyone have anything else today?

9 MS. ANDERL: No, Your Honor. Just maybe if we would  
10 check the bridge one more time to make sure we haven't missed  
11 any Intervenors?

12 And I would state for the record that I have not  
13 received any other written petitions to intervene other than  
14 Integra's.

15 JUDGE WATSON: If anyone is on the bridge line other  
16 than a representative of Integra or a representative of  
17 CenturyLink, will he or she please identify themselves?

18 Okay. I think we're okay.

19 All right. We're adjourned. We can go off the  
20 record. Thank you.

21 (Proceeding concluded at 1:42 p.m.)

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C E R T I F I C A T E

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3 STATE OF WASHINGTON )

) ss

4 COUNTY OF KING )

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6 I, SHELBY KAY K. FUKUSHIMA, a Certified Shorthand Reporter  
7 and Notary Public in and for the State of Washington, do hereby  
8 certify that the foregoing transcript is true and accurate to  
9 the best of my knowledge, skill and ability.

10 IN WITNESS WHEREOF, I have hereunto set my hand and seal  
11 this 29th day of January, 2014.

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SHELBY KAY K. FUKUSHIMA, CCR

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16 My commission expires:

June 29, 2017

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