

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

CENTURYLINK COMMUNICATIONS, LLC,

Respondent.

DOCKET NO. UT-181051

RESPONDENT CENTURYLINK
COMMUNICATIONS, LLC'S MOTION
FOR LEAVE TO ACCEPT LATE-
FILED TESTIMONY

- 1* Pursuant to WAC 480-07-375(b) and -385, CenturyLink Communications, LLC (“CLC”), by and through its undersigned counsel, respectfully submits this motion requesting the Commission to accept the late-filed Response Testimony that CLC submitted on March 31, 2022.
- 2* CLC’s Response Testimony was due on Wednesday, March 30, 2022, but due to an oversight (more specifically, CLC personnel calendared the due date as March 31), CLC submitted its testimony one day late, on Thursday, March 31, 2022. The Response Testimony and corresponding exhibits of Martin D. Valance, Steven E. Turner, Valerie Lobdell, Carl D. Klein, Stacy J. Hartman, cover letter to Amanda Maxwell, and certificate of service, were filed and served on behalf of CLC in good faith under the mistaken assumption that the deadline for filing was March 31, 2022, rather than March

30, 2022. CLC discovered its mistake the morning of April 1, 2022, and seeks to correct the error with this motion.

3 The result of CLC's error was that filing was not accomplished in the time required by the Notice Revising Procedural Schedule, and CLC's Response Testimony was one day late.

4 CLC has contacted counsel for Commission Staff, Public Counsel, the Washington State Military Department (WMD), and TeleCommunication Systems, Inc. (Comtech). Staff has indicated that it takes no position. Public Counsel has indicated that it does not oppose CLC filing this motion, but will stand by its motion to strike, filed today. Comtech indicated that it supports Public Counsel's position. WMD did not respond, although CLC believes counsel for WMD is out of the office.

5 CLC believes that granting this motion will cause no prejudice to the Commission or any party, given that the delay was shorter than 24 hours. However, there would be significant prejudice to CLC, if not allowed to present testimony in this complaint case, and to the Commission, which needs to develop a complete record. If the other parties perceive prejudice, CLC would not oppose the Commission extending the deadline for Cross-Answering Testimony by one day.

6 CLC has shown good cause in that its recited facts show inadvertence and a prompt effort to remedy the oversight. CLC respectfully requests that the Commission allow the late filing of the Response Testimony and corresponding exhibits of Martin D. Valance, Steven E. Turner, Valerie Lobdell, Carl D. Klein, and Stacy J. Hartman.

///

///

///

///

Respectfully submitted and DATED this 1st day of April, 2022.

CENTURYLINK



Adam L. Sherr (WSBA # 25291)
Assistant General Counsel
1600 – 7th Ave., Room 1506
Seattle, WA 98191
206 398 2507
adam.sherr@lumen.com

Charles W. Steese, Esq.
Armstrong Teasdale LLP
4643 South Ulster Street, Ste. 800
Denver, Colorado 80237
(720) 200-0677 Ext. 3805
csteese@atllp.com