

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKET UT-140597
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	ORDER 01
)	
v.)	
)	PREHEARING CONFERENCE
QWEST CORPORATION d/b/a)	ORDER; NOTICE OF HEARING
CENTURLINK QC,)	(Set for December 7, 2015, at 9:30
)	a.m.)
Respondent.)	
)	
.....)	

1 **NATURE OF PROCEEDING.** On February 19, 2015, the staff of the Washington Utilities and Transportation Commission (Commission) filed a complaint against Qwest Corporation d/b/a CenturyLink QC (CenturyLink). The complaint alleges violations of Commission rules arising from a 911 service outage affecting Washington residents on April 9-10, 2014.

2 **CONFERENCE.** The Commission convened a prehearing conference in this docket at Olympia, Washington on April 20, 2015, before Administrative Law Judge Gregory J. Kopta.

3 **APPEARANCES.** Lisa Anderl, Senior Associate General Counsel, Seattle, Washington, represents CenturyLink. Lisa Gafken, Assistant Attorney General, Seattle, Washington, represents the Public Counsel Unit of the Washington Office of the Attorney General (Public Counsel). Julian Beattie, Assistant Attorney General, Olympia, Washington, represents the Commission regulatory staff (Staff).¹ Contact

¹ In formal proceedings, such as this, the Commission’s regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners’ policy and accounting advisors do not discuss the merits of this proceeding with the regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. *See*, RCW 34.05.455.

information provided at the conference for the parties' representatives is attached as Appendix A to this order.

4 **PETITIONS FOR INTERVENTION.** No party appeared at the conference seeking to intervene.

5 **AGREEMENT TO ELECTRONIC SERVICE.** All parties have agreed to service electronically. The Commission will serve only electronic copies of documents in this docket, and the parties are required to serve only electronic copies on each other.

6 **PROTECTIVE ORDER.** The parties ask that the Commission enter a protective order in this docket under RCW 34.05.446, RCW 80.04.095, WAC 480-07-420 and WAC 480-07-423 to protect the confidentiality of proprietary information. The Commission granted the request and will enter a protective order in this docket.

7 **DISCOVERY.** The parties asked that the discovery rules be available in this docket, under WAC 480-07-400. The matter is one that qualifies for discovery, and the discovery rules, WAC 480-07-400 – 425, are available.

8 **PROCEDURAL SCHEDULE.** The parties agreed on a procedural schedule during the conference. The Commission adopts this procedural schedule, which is attached to this Order as Appendix B.

9 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **5:00 p.m. on November 24, 2015.** The Commission requires **four** paper copies of the fully unredacted version of exhibits. The Commission also requires one paper copy and one electronic copy in .pdf (Adobe Acrobat) format of a redacted set of any confidential exhibits so that these can be made available by the Commission in response to a public records request or posted to the Commission's web site. The exhibits must be organized into sets that are **tabbed, labeled, and grouped** according to the witness the party intends to cross examine with the exhibits. Cross-examination exhibits not conforming to these requirements may be rejected.

- 10 **EXHIBIT LISTS.** Each party must file a list of all exhibits the party intends to introduce into the evidentiary record, including all prefiled testimony and exhibits, as well as cross-examination exhibits. The parties must file and serve their exhibit list by **5:00 p.m. on November 24, 2015.**
- 11 **CROSS-EXAMINATION TIME ESTIMATES.** Each party must provide a list of witnesses the party intends to cross-examine at the evidentiary hearing and an estimate of the time that party anticipates the cross-examination of that witness will take. Parties should not file witness lists or cross-examination time estimates but must provide them to the administrative law judge and the other parties by **5:00 p.m. on November 24, 2015.**
- 12 **NOTICE OF HEARING:** The Commission will hold an evidentiary hearing in this matter on **December 7 and 8, 2015, at 9:30 a.m.,** in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. The hearing will continue on December 10, 2015, if necessary.
- 13 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus **four** copies of all pleadings, motions, briefs, and other prefiled materials. These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.
- 14 All filings must be mailed or delivered to the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
- 15 An electronic copy of all filings must be provided through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail delivery to records@utc.wa.gov. Alternatively, parties may furnish an electronic copy by delivering with each filing a flash drive, DVD, or CD including the filed document(s). Parties must furnish electronic copies in MS Word 6.0 (or later) supplemented by a separate file in .pdf

(Adobe Acrobat) format except as otherwise provided in this order or the Commission's procedural rules. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files.

- 16 **ELECTRONIC SUBMISSION OF DOCUMENTS.** Parties must submit documents electronically to the Commission on the filing deadline established in the procedural schedule and must file an original plus **four** paper copies of the documents with the Commission by 5:00 p.m. on the first business day following the filing deadline as provided in WAC 480-07-145(6). Parties may submit documents electronically through the Commission's Web Portal (www.utc.wa.gov/efiling) or by e-mail to records@utc.wa.gov. Finally, to perfect filing, parties must simultaneously serve the other parties and provide e-mail courtesy copies of filings to the presiding administrative law judge (gkopta@utc.wa.gov).
- 17 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1355.
- 18 **NOTICE TO PARTIES: A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington, and effective April 22, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

GREGORY J. KOPTA
Administrative Law Judge

**APPENDIX B
PROCEDURAL SCHEDULE
DOCKET UT-140597**

PARTY	REPRESENTATIVE	PHONE	E-MAIL
CenturyLink	Lisa Anderl Senior Associate General Counsel 1600 7 th Avenue, Room 1506 Seattle, WA 98191	206-345-1574	Lisa.anderl@centurylink.com
	Mark Reynolds Vice-President Public Policy, NW Region 1600 7 th Avenue, Room 1506 Seattle, WA 98191	206-345-1568	Mark.reynolds3@centurylink.com
	Maura Reynolds		Maura.peterson@centurylink.com
	John Felz		John.felz@centurylink.com
Staff	Julian Beattie Assistant Attorney General Office of the Attorney General Utilities and Transportation Division 1400 S. Evergreen Park Drive SW P.O. Box 40128 Olympia, WA 98504-0128	360-664-1225	jbeattie@utc.wa.gov
Public Counsel	Lisa Gafken Assistant Attorney General Office of the Attorney General Public Counsel Unit 800 Fifth Avenue, Suite 2000 Seattle, WA 98104-3188	206-464-6595	Lisa.gafken@atg.wa.gov
	Carol Baker Legal Assistant		carolw@atg.wa.gov
	Chanda Mak Legal Assistant		chandam@atg.wa.gov
	Stefanie Johnson Regulatory Analyst		stefanie@atg.wa.gov

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EVENT	DATE
First Settlement Conference (parties only)	June 9, 2015
Second Settlement Conference (parties only)	June 23, 2015
Staff and Public Counsel Direct Testimony and Exhibits	August 11, 2015
Company Responsive Testimony and Exhibits	September 22, 2015
Staff and Public Counsel Rebuttal and Cross-Answering Testimony and Exhibits	October 27, 2015
Filing of Cross Examination Exhibits, Witness Lists, and Time Estimates	November 24, 2015
Evidentiary Hearing	December 7 – 8, 2015, continuing on December 10, if necessary
Simultaneous Post-Hearing Briefs	January 15, 2016