

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET UT-132282
)	
QWEST CORPORATION d/b/a)	ORDER 03
CENTURYLINK QC)	
)	INITIAL ORDER GRANTING
For Commission Approval of 2013)	PETITION
Additions to its Non-Impaired Wire)	
Center List)	
.....)	

BACKGROUND

- 1 On December 13, 2013, Qwest Corporation d/b/a CenturyLink QC (CenturyLink) filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) requesting the Commission approve the addition of CenturyLink’s Yakima Chestnut wire center to CenturyLink’s list of non-impaired wire centers in accordance with the Federal Communication Commission’s (FCC’s) Triennial Review Remand Order (TRRO).

- 2 The Commission convened a prehearing conference on January 22, 2014, at which the Commission adopted a preliminary procedural schedule, requiring Commission regulatory staff (Staff)¹ and intervenor Integra Telecom (Integra) to file any objections to the Petition by February 14, 2014.

- 3 On February 12, 2013, Staff filed a letter stating that it has no objections related to the Petition. On February 14, 2013, Integra filed comments in which it stated that based on its review and confirmation of the highly confidential data CenturyLink provided, Integra does not object to classifying the Yakima Chestnut wire center as a Tier 2 wire center.

- 4 Lisa Anderl, Senior Associate General Counsel, Seattle, represents CenturyLink. Jennifer Cameron-Rulkowski, Assistant Attorney General, Olympia, represents Staff. Douglas Denney, Vice President, Costs & Policy, Portland, Oregon, represents Integra.

¹ In a formal proceeding, 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.

DISCUSSION

- 5 The FCC's TRRO established criteria for determining when an incumbent local exchange carrier (ILEC), such as CenturyLink, may be relieved of its obligation to provide certain unbundled network elements (UNEs) in designated wire centers. In wire centers classified as Tier 2, the ILEC is not required to provide UNE dark fiber transport or UNE DS3 transport between that wire center and another wire center that is classified as either Tier 1 or Tier 2. A Tier 2 wire center is not a Tier 1 wire center and contains at least three fiber-based collocators or serves at least 24,000 business lines, or both. A Tier 1 wire center contains at least four fiber-based collocators or serves at least 38,000 business lines, or both.²
- 6 CenturyLink presented evidence that its Yakima Chestnut wire center satisfies the FCC's criteria for classification as a Tier 2 wire center. Neither Staff nor Integra disputes this evidence or otherwise objects to the requested classification. Accordingly, the Yakima Chestnut wire center is entitled to be classified as a Tier 2 wire center.

ORDER

- 7 THE COMMISSION ORDERS that the petition of Qwest Corporation d/b/a CenturyLink QC for approval of the addition of CenturyLink's Yakima Chestnut wire center to its list of non-impaired wire centers as a Tier 2 wire center in accordance with the Federal Communication Commission's Triennial Review Remand Order is GRANTED, and the Commission approves that addition.

Dated at Olympia, Washington, and effective February 20, 2014.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

GREGORY J. KOPTA
Administrative Law Judge

² 47 C.F.R. § 51.319(e).

NOTICE TO THE PARTIES

This is an Initial Order. The action proposed in this initial order is not yet effective. If you disagree with this Initial Order and want the Commission to consider your comments, you must take specific action within the time limits outlined below. If you agree with this Initial Order and would like it to become final before the time limits expire, you may send a letter to the Commission, waiving your right to petition for administrative review.

WAC 480-07-825(2) provides that any party to this proceeding has twenty (20) days after the entry of this Initial Order to file a Petition for Administrative Review (Petition). Section (3) of the rule identifies what you must include in any Petition as well as other requirements for a Petition. WAC 480-07-825(4) states that any party may file an Answer to a Petition (Answer) within (10) days after service of the Petition.

WAC 480-07-830 states that before the Commission enters a final order any party may file a petition to reopen a contested proceeding to permit receipt of evidence essential to a decision, but unavailable and not reasonably discoverable at the time of hearing, or for other good and sufficient cause. The Commission will not accept answers to such a petition unless the Commission requests answers by written notice.

RCW 80.01.060(3) provides that an Initial Order will become final without further Commission action if no party seeks administrative review of the Initial Order and if the Commission does not exercise administrative review on its own motion. You will be notified if this order becomes final either by operation of law or on administrative review.

You must serve on each party of record one copy of any Petition or Answer filed with the Commission, including proof of service as required by WAC 480-07-150(8) and (9). To file a Petition or Answer with the Commission, you must file an original and one (1) copy of your Petition or Answer by mail delivery to:

Attn: Steven V. King, Executive Director and Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, Washington 98504-7250