



DEPARTMENT OF THE ARMY
UNITED STATES ARMY LEGAL SERVICES AGENCY
9275 GUNSTON ROAD
FORT BELVOIR, VIRGINIA 22060-5546

April 22, 2013

REPLY TO
ATTENTION OF
Regulatory Law Office
[U4011]

VIA ELECTRONIC and EXPEDITED OVERNIGHT MAIL

Commission Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P.O. Box 47250
Olympia, WA 98504-7250

Subject: DoD/FEA's Petition to Intervene

Re: *In the Matter of the Petition of The CenturyLink Companies – Qwest Corporation; CenturyTel of Washington; CenturyTel of Interisland; CenturyTel of Cowiche; And United Telephone Company of the Northwest to be Regulated Under an Alternative Form of Regulation Pursuant to RCW 80.36.135.*

To The Honorable Commission Executive Director and Secretary:

Enclosed for filing in the above-captioned proceeding are the hard copy original and twelve (12) copies of a Petition to Intervene of the United States Department of Defense and All Other Federal Executive Agencies (collectively referred to herein as "DoD/FEA"). A Certificate of Service is appended to this filing.

Copies of this document are being sent in accord with the Certificate of Service. Inquiries to this office regarding this proceeding should be directed to the undersigned at (703) 614 - 3918.

Thank you for your cooperation and assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen S. Melnikoff", written over a horizontal line.

Stephen S. Melnikoff
General Attorney
Regulatory Law Office (JALS-RL/IP)
Office of the Judge Advocate General
U. S. Army Legal Services Agency
9275 Gunston Road
Fort Belvoir, VA 22060-5546
(703) 614-3918

Enclosure: Original and twelve (12) copies
Cf: See Certificate of Service

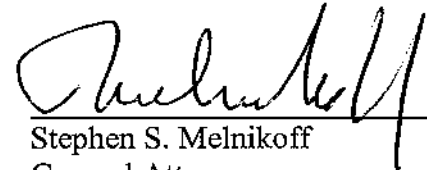
**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	
	)	DOCKET UT-130477
THE CENTURLINK COMPANIES –)	
QWEST CORPORATION;)	
CENTURYTEL OF WASHINGTON;	)	THE UNITED STATES
CENTURYTEL OF INTERISLAND;	)	DEPARTMENT OF DEFENSE AND
CENTURYTEL OF COWICHE; AND	)	ALL OTHER FEDERAL EXECUTIVE
UNITED TELEPHONE COMPANY	)	AGENCIES’
OF THE NORTHWEST)	
	)	CERTIFICATE OF SERVICE
To be Regulated Under an Alternative)	
Form of Regulation Pursuant to RCW)	
80.36.135.)	

CERTIFICATE OF SERVICE

I certify that I have caused a copy of the foregoing document, together with this Certificate of Service, in Docket No. UT-130477, to be sent this day by electronic service (email) and postage prepaid, properly addressed, first class U.S. Mail (or private courier) to the counsel and parties named below, as indicated.

Dated this 22nd day of April 2013
at Fort Belvoir, Virginia.



Stephen S. Melnikoff
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Honorable Gregory J. Kopta
Administrative Law Judge
Washington Utilities and
Transportation Commission
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(E-mail Only)

(4/22/2013)

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	
	)	DOCKET UT-130477
THE CENTURLINK COMPANIES –)	
QWEST CORPORATION;)	
CENTURYTEL OF WASHINGTON;	)	THE UNITED STATES
CENTURYTEL OF INTERISLAND;	)	DEPARTMENT OF DEFENSE AND
CENTURYTEL OF COWICHE; AND	)	ALL OTHER FEDERAL EXECUTIVE
UNITED TELEPHONE COMPANY	)	AGENCIES’
OF THE NORTHWEST)	
	)	PETITION TO INTERVENE
To be Regulated Under an Alternative)	
Form of Regulation Pursuant to RCW)	
80.36.135.)	

PETITION TO INTERVENE

The Secretary of Defense, through duly authorized counsel, on behalf of the consumer interests of the United States Department of Defense and all other Federal Executive Agencies (collectively referred to herein as “DoD/FEA”), hereby petitions the Washington Utilities and Transportation Commission (“the Commission”) for leave to intervene in the above-captioned proceeding. This Petition is filed pursuant to WAC 480-07-355(a) and paragraph 6 of the Commission’s April 4, 2013 Notice of Prehearing Conference. In support of this Petition, DoD/FEA states as follows:

1. DoD/FEA will be represented by, and all documents should be served upon and all communications referred to its attorneys:

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2. The interest of DoD/FEA in this proceeding is that of a customer of telecommunications services provided by Qwest Corporation d/b/a CenturyLink QC and its operating affiliates (collectively referred to herein as “CenturyLink”) in Washington. The Federal government maintains numerous military installations and civilian Federal Executive Agency activities within the State of Washington that obtain telecommunications services from CenturyLink and other providers.¹ As such, DoD/FEA is one of the largest users of telecommunications services in the state of Washington. DoD/FEA installations, facilities and offices, ranging widely in size, are located throughout Washington, and the business telecommunications services purchased range from large complex systems to small office

¹ Several major military installations are located in the state of Washington, such as Joint Base Lewis-McChord (formerly Fort Lewis and McChord Air Force Base) and Fairchild Air Force Base, and naval facilities around the Puget Sound area. In addition, the Federal presence also exists as numerous and widespread major facilities such as the General Services Administration Northwest/Arctic Region Office, and the Department of Veterans Affairs medical and outreach facilities, and small-sized offices such as Armed Forces recruiters, Post Offices, Social Security offices, as well as Fish and Wildlife Service, National Parks, USDA Forest Service and Farm Service/Agricultural agents. Federal employment (Civilian and Active Duty Military) in Washington state exceeds 100,000 persons.

services.² Accordingly, it is important to DoD/FEA that service in the affected exchanges will be provided in an efficient manner, at reasonable cost, with the highest service quality and performance, that any transition to an alternative regulation plan will be seamless and not degrade retail service, and that CenturyLink will be willing and able to offer state-of-the-art retail business services of the nature that DoD/FEA operations require.

3. DoD/FEA has a unique government end-user perspective on the issues that might arise as a result of this proceeding due to the nature and extent of the business telecommunications services it purchases from CenturyLink and other providers in Washington. To obtain the best available services at the lowest possible cost, DoD/FEA procures telecommunications services through competitive bidding procedures whenever possible. This provides DoD/FEA with first-hand knowledge about the presence (or lack thereof) of alternative providers and services, service quality, rates and charges, and other factors that the Commission will consider when determining the appropriateness of a proposed alternative form of regulation. DoD/FEA's participation in this proceeding, therefore, will provide a more complete record and will assist the Commission in determining whether and to what extent CenturyLink's alternative form of regulation proposal meets the requirements of RCW 80.36.135 and the public policy goals declared in RCW 80.36.300 – and ultimately what the disposition of CenturyLink's Petition should be. Moreover, as a large customer, DoD/FEA has expertise in addressing

² DoD/FEA obtains a broad variety of services, and has a wide range of sizes of customer serving sites and number and kind of urban/rural locations throughout the state.

telecommunications regulatory issues in formal proceedings.³ Thus, DoD/FEA's participation will assist the Commission in resolving issues that arise in connection with this proceeding.

4. The Commission's decision in this proceeding could directly and significantly impact the consumer interests of DoD/FEA and the vitality of the competitive telecommunications marketplace in Washington. For example, DoD/FEA wants to ensure that the outcome of this proceeding results in the appropriate flexibility for CenturyLink concerning rates for the types of business services purchased by DoD/FEA, as well as concerning the tariff process, terms and conditions for the types of business services purchased by DoD/FEA. Thus, DoD/FEA has an interest in ensuring that current market forces are sufficient to maintain just and reasonable rates, terms and conditions as well as quality service for business services before CenturyLink's Petition can be granted. On the other hand, DoD/FEA has an interest in ensuring that its providers of telecommunications services are not subjected to the burden and cost of unnecessary regulation because that, too, can impact the prices, terms and conditions of the business services offered to DoD/FEA.

5. DoD/FEA's intervention and participation herein will not unreasonably broaden the issues, burden the record, unduly affect the rights of participating parties or unreasonably delay the proceeding.

Accordingly, DoD/FEA petitions the Commission for leave to intervene in the captioned proceeding as a party with full rights to participate in the proceeding, including the right to

³ In the recent past, DoD/FEA has been granted intervener status by the Commission in numerous cases such as Docket No. UT-100820, UT-030614, UT-033025, UT-033044, UT-040788, UT-061625, UT-06177, UT-081501, UT-090842, as well as the on-going UT-121994, all in which DoD/FEA has actively participated.

discovery, to examine witnesses, to file and present testimony and briefs and to be heard at oral argument.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen S. Melnikoff". The signature is fluid and cursive, with a large initial "S" and "M".

Stephen S. Melnikoff

General Attorney
Regulatory Law Office (JALS-RL)
U.S. Army Legal Services Agency
9275 Gunston Road
Suite 133
Fort Belvoir, VA 22060

For
The United States Department of Defense
And
All Other Federal Executive Agencies

Dated: April 22, 2013