

**Exh. SP-21
Docket UT-171082
Witness: Susie Paul**

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

**WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,**

Complainant,

v.

**QWEST CORPORATION D/B/A
CENTURYLINK QC,**

Respondent.

DOCKET UT-171082

**EXHIBIT TO
TESTIMONY OF**

Susie Paul

**STAFF OF
WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION**

Letter to Phil Grate from Bridgit Feeser, dated May 5, 2017

April 6, 2018



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

May 5, 2017

Phil Grate
State Regulatory Affairs Director
1600 7th Avenue, Room 1506
Seattle, WA 98191

Dear Mr. Grate:

This letter provides my response to your request for an escalation regarding the requirements of Washington Administrative Code (WAC) 480-120-071(3) and 480-120-071(4) as they apply to extension of service.

On April 14, 2017, commission staff recorded a violation of WAC 480-120-071(3) and a violation of WAC 480-120-071(4) in consumer complaint CAS-20417-Y7K6M8 based on the following: A CenturyLink retiree moved into a housing development and requested new telephone service. No phone line currently exists at the home; therefore, the customer was told by a CenturyLink representative that he would need to secure services from Comcast. Staff was also informed by the CenturyLink representative that their regulatory counsel stated the line extension rule (WAC 480-120-017) does not apply to developments.

This complaint was escalated to me for review, and you and I met on April 19, 2017, to discuss the issue. You followed up with a letter on April 21 outlining CenturyLink's position and concerns. I appreciate the information you provided, and for taking the time to meet with me. I committed to thoroughly research the issue, which I have done. My research included discussions with subject matter experts and legal counsel.

In the line extension rule, WAC 480-120-071, "development" is defined as "land which is divided. . .for the purpose of disposition into four or more lots, parcels, or units" (emphasis added). Per the plain language of the rule, a development is land, which, arguably, is not the same as an occupied home. Because the customer is asking for service to his home and not to a "development," the line extension rule requires CenturyLink to extend service.

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The violations recorded for WAC 480-120-071(3) and WAC 480-120-071(4) stand. Please be aware that future violations of these WACs may be subject to enforcement action, including financial penalties.

You may request a review of this investigation by Pat Hazzard, Safety and Consumer Protection Director. To contact Pat directly, email phazzard@utc.wa.gov or call 360-664-1103.

Sincerely,



Bridgit Feeser
Assistant Director, Consumer Protection