



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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July 7, 2021

Mark L. Johnson, Executive Director and Secretary
Washington Utilities and Transportation Commission
621 Woodland Square Loop S.E., Lacey, WA 98503
P. O. Box 47250
Olympia, Washington 98504-7250

RE: CenturyLink Compliance Condition 5.3 for 2021
Docket UT-170042

Dear Mr. Johnson:

On July 7, 2017, the Washington Utilities and Transportation Commission (Commission) entered Order 03, "ORDER APPROVING SETTLEMENT AGREEMENT AND TRANSACTION AND GRANTING LIMITED WAIVER OF WAC 480-07-160," (Order 03) in the above-referenced docket. Order 03, among other things, required CenturyLink (Company) to submit reports relating to Federal Universal Service Fund (FUSF) support to the Commission on July 1 of 2017, 2018, 2019, 2020, and 2021; for each of CenturyLink's Washington ILECs.¹

BACKGROUND

In accordance with Order 03, CenturyLink filed the required FUSF reports. Condition 5.3 in the Settlement Agreement states:

5.3 Report of Federal Universal Service Fund (FUSF) Support – Each year, beginning on July 1, 2017, and ending in 2021, each of CenturyLink's Washington ILECs *will file in this docket* a report for the previous calendar year, consistent with Attachment B – FUSF Reporting (including all three pages). [*Emphasis added.*]

The reports filed in this docket are filed as, "*Confidential Pursuant to Protective Order in Docket UT-170042.*"

¹ Order ¶58 and Settlement, Exh. JP-1 § 5.3.

RECOMMENDATION

Based on UTC Staff's review of the reports filed on June 22, 2021, in this docket; Staff believes that CenturyLink has complied with the spirit Condition 5.3 for each of its Washington ILECs.

The condition requires the reporting of information. Staff notes that as a result of its review it is clear that CenturyLink has not met the FCC's 100 percent benchmark as of the completion of the calendar year ended December 31, 2020. It appears from this data that on an aggregate and cumulative basis for the State of Washington that CenturyLink's deployed locations were less than 95 percent (and therefore below the benchmark). The FCC's CAF-II Program has its own remedies built into the rules (*see: [47 CFR 54.310\(c\)](#) and [47 CFR 54.316\(c\)\(1\)](#)*). Additionally, the FCC has granted these companies an extra year (seventh year) in order to comply by 12/31/2021.

Therefore, because the company has complied with the appropriate reporting of information, Staff recommends that the Commission issue a compliance acknowledgement letter recognizing that CenturyLink has complied with its obligation to file its 2021 Federal Universal Service Fund (FUSF) Support reports consistent with Order 03 and Condition 5.3 of the adopted Settlement Agreement.

Sincerely,

Tim Zawislak
Senior Regulatory Analyst