BEFORE THE WASHINGTON
UTILITIES & TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

v.

CENTURYLINK COMMUNICATIONS, LLC

Respondent.

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DOCKET UT-181051

CROSS-ANSWERING TESTIMONY OF STEPHANIE K. CHASE
ON BEHALF OF
WASHINGTON STATE OFFICE OF THE ATTORNEY GENERAL
PUBLIC COUNSEL UNIT

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EXHIBIT SKC-3T

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AUGUST 31, 2022
CROSS-ANSWERING TESTIMONY OF STEPHANIE K. CHASE
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TABLE OF CONTENTS

I. INTRODUCTION / SUMMARY ........................................................................................................ 1

II. CENTURYLINK RESPONSE TESTIMONY ............................................................................... 2
I. INTRODUCTION / SUMMARY

Q. Are you the same Stephanie Chase who filed revised direct testimony on December 16, 2021, on behalf of the Public Counsel Unit of the Attorney General’s Office of Washington (Public Counsel)?

A. Yes.

Q. What is the purpose of your testimony at this time?

A. On behalf of Public Counsel, I reviewed the response testimony of Stacy J. Hartman\(^1\) filed on March 31, 2022, on behalf of CenturyLink Communications and am responding to it.

Q. Please summarize your testimony and recommendations.

A. I continue to recommend that the Commission impose the full statutory penalty on CenturyLink based on the Company’s role and culpability. I based my recommendation on (1) the facts established in the case via UTC Staff\(^9\) investigation, the FCC investigation, and data requests submitted by the parties in this case; (2) the facts established via the parties’ prefiled testimony and exhibits; (3) my analysis of the Commission’s enforcement factors; and (4) CenturyLink’s role in the design of the 9-1-1 system and obligations under the contracts between it and the Washington State Military Department (WMD).

The penalty is necessary so that CenturyLink bears responsibility for its role in the 9-1-1 outage. 9-1-1 service is vitally important to all Washingtonians, and a strong penalty reflects the value that 9-1-1 service has for the health, safety, and welfare of the citizens of this state.

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\(^1\) Response Testimony of Stacy J. Hartman, Exh. SJH-1TC.
II. CENTURYLINK RESPONSE TESTIMONY

Q. Please describe the response testimony of Stacy J. Hartman.

A. Hartman is the Vice President of Public Policy Compliance at Lumen and the “subject matter expert for regulatory reporting requirements in connection with network reliability, outage reporting, and 911 related issues.”

Hartman’s testimony covered a variety of topics, including a description of the 9-1-1 transition in Washington, discussion of the causes of action in Staff’s complaint, and the Commission’s enforcement factors.

Q. Hartman claims that Public Counsel appears to contradict its prior advocacy holding the 9-1-1 provider liable for its vendor’s actions. Do you agree with this claim?

A. No, Hartman’s claim is inaccurate.

Q. Please explain.

A. Hartman’s argument is that for Public Counsel to be consistent with our prior advocacy, we should hold Comtech liable for the failures of its vendor (TNS/CenturyLink). Hartman states that the CenturyLink’s “sole involvement was that Comtech directly leased two [CenturyLink Communications (CLC)] transport circuits and indirectly (through its SS7 vendor, TNS) leased two additional CLC transport circuits to be used as SS7 links.” This dramatically understates CenturyLink’s role in this case. As detailed in my direct testimony and Brian Rosen’s direct testimony, WMD was transitioning 9-1-1 service from

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2 Hartman, Exh. SJH-1TC at 1.
3 Id. at 13–16.
4 Id. at 13–14 (emphasis in original).
5 Direct Testimony of Stephanie K. Chase, Exh. SKC-1Tr at 4–5.
6 Direct Testimony of Brian Rosen, Exh. BR-1CTr at 7–8.
CenturyLink to Comtech. There were contracts between WMD and CenturyLink, WMD and Comtech, and Comtech and CenturyLink detailing a variety of issues to address in the transition, including how to interconnect the company networks. As Hartman notes, the “design of the transition … was a cooperative, iterative process led by Comtech[,]” but with the active participation of CenturyLink, Comtech, and WMD. Importantly, CenturyLink remained responsible for certain services for all 9-1-1 calls and for the network. CenturyLink was responsible as the co-provider of 9-1-1 services in Washington, not as the vendor to Comtech. This does not conflict with our prior advocacy that a 9-1-1 provider is responsible for the actions of their vendor because, in this case, CenturyLink was a 9-1-1 provider.

Q. Hartman also takes issue with the fact that Staff does not name Comtech as a Respondent to the Complaint and complains that Public Counsel does not address Comtech’s responsibility in testimony. Please respond.

A. In this matter, Public Counsel is responding to the Commission’s complaint. The Commission conducted an investigation and issued a complaint based on the results of that investigation. Public Counsel is a statutory party to proceedings before the Commission, and as such, we are responding to the Complaint, which names CenturyLink as Respondent. As noted in our data request response to CenturyLink, “Public Counsel has not addressed whether Comtech should bear

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7 Hartman, Exh. SJH-1TC at 19.
8 Id. at 19.
9 Rosen, Exh. BR-1CTR at 7:8–16.
10 Hartman, Exh. SJH-1TC at 9–10.
11 RCW 80.01.100, RCW 80.04.510, and RCW 81.04.500.
Furthermore, the issue of Comtech’s potential liability does not excuse CenturyLink from liability because CenturyLink continued to remain liable in its role as co-provider of 9-1-1 services in Washington. Whether and to the extent that CenturyLink can seek indemnification from Comtech is beyond the scope of this proceeding.

Q. Does this conclude your testimony?

A. Yes.

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12 Hartman, Exh. SJH-2 at 4–5 (Public Counsel’s Response to CenturyLink Data Request 2).