

**BEFORE THE WASHINGTON
UTILITIES & TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

v.

CENTURYLINK COMMUNICATIONS, LLC

Respondent.

DOCKET UT-181051

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

EXHIBIT SKC-3T

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

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

4 A. Yes.

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

6 A. On behalf of Public Counsel, I reviewed the response testimony of Stacy J.
7 Hartman¹ filed on March 31, 2022, on behalf of CenturyLink Communications
8 and am responding to it.

9 **Q. Please summarize your testimony and recommendations.**

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

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

¹ Response Testimony of Stacy J. Hartman, Exh. SJH-1TC.

II. CENTURYLINK RESPONSE TESTIMONY

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

2 A. Hartman is the Vice President of Public Policy Compliance at Lumen and the
3 “subject matter expert for regulatory reporting requirements in connection with
4 network reliability, outage reporting, and 911 related issues.”² Hartman’s
5 testimony covered a variety of topics, including a description of the 9-1-1
6 transition in Washington, discussion of the causes of action in Staff’s complaint,
7 and the Commission’s enforcement factors.

8 **Q. Hartman claims that Public Counsel appears to contradict its prior advocacy**
9 **holding the 9-1-1 provider liable for its vendor’s actions.³ Do you agree with**
10 **this claim?**

11 A. No, Hartman’s claim is inaccurate.

12 **Q. Please explain.**

13 A. Hartman’s argument is that for Public Counsel to be consistent with our prior
14 advocacy, we should hold Comtech liable for the failures of its vendor
15 (TNS/CenturyLink). Hartman states that the CenturyLink’s “sole involvement
16 was that Comtech *directly* leased two [CenturyLink Communications (CLC)]
17 transport circuits and *indirectly* (through its SS7 vendor, TNS) leased two
18 additional CLC transport circuits to be used as SS7 links.”⁴ This dramatically
19 understates CenturyLink’s role in this case. As detailed in my direct testimony⁵
20 and Brian Rosen’s direct testimony,⁶ WMD was transitioning 9-1-1 service from

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.

1 CenturyLink to Comtech. There were contracts between WMD and CenturyLink,
2 WMD and Comtech, and Comtech and CenturyLink detailing a variety of issues
3 to address in the transition, including how to interconnect the company networks.
4 As Hartman notes, the “design of the transition ... was a cooperative, iterative
5 process led by Comtech[,]”⁷ but with the active participation of CenturyLink,
6 Comtech, and WMD.⁸ Importantly, CenturyLink remained responsible for certain
7 services for all 9-1-1 calls⁹ and for the network. CenturyLink was responsible as
8 the co-provider of 9-1-1 services in Washington, not as the vendor to Comtech.
9 This does not conflict with our prior advocacy that a 9-1-1 provider is responsible
10 for the actions of their vendor because, in this case, CenturyLink was a 9-1-1
11 provider.

12 **Q. Hartman also takes issue with the fact that Staff does not name Comtech as a**
13 **Respondent to the Complaint and complains that Public Counsel does not**
14 **address Comtech’s responsibility in testimony.¹⁰ Please respond.**

15 A. In this matter, Public Counsel is responding to the Commission’s complaint. The
16 Commission conducted an investigation and issued a complaint based on the
17 results of that investigation. Public Counsel is a statutory party to proceedings
18 before the Commission,¹¹ and as such, we are responding to the Complaint, which
19 names CenturyLink as Respondent. As noted in our data request response to
20 CenturyLink, “Public Counsel has not addressed whether Comtech should bear

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.

1 any responsibility.”¹² Furthermore, the issue of Comtech’s potential liability does
2 not excuse CenturyLink from liability because CenturyLink continued to remain
3 liable in its role as co-provider of 9-1-1 services in Washington. Whether and to
4 the extent that CenturyLink can seek indemnification from Comtech is beyond the
5 scope of this proceeding.

6 **Q. Does this conclude your testimony?**

7 A. Yes.

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