

Docket No. UT-140597 - Vol. I

**Washington Utilities and Transportation Commission v.
Qwest Corporation d/b/a Century Link QC**

April 20, 2015

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BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

Washington Utilities and)
Transportation Commission,)
Complainant,)
vs.) Docket UT-140597
QWEST CORPORATION d/b/a)
Century Link QC,)
Respondent.)

Prehearing Conference held before
Administrative Law Judge Gregory J. Kopta
Volume I
Pages 1 - 12

9:30 a.m. - 9:40 a.m.
April 20, 2015
1300 South Evergreen Park Drive Southwest
Olympia, Washington

Mary M. Paradise, CSR 2469

Olympia, Washington; April 20, 2015
9:30 a.m.

-o-o-

PROCEEDINGS

JUDGE KOPTA: Let's be on the record. In
docket UT-140597, caption Washington Utilities and
Transportation Commission versus Qwest Corporation
d/b/a Century Link QC.

I'm Gregory J. Kopta, the administrative
law judge who will be presiding over this
proceeding, and we are here on Monday, April 20th,
2015 to conduct a prehearing conference. And the
first order of business is to take appearances.
Let's start with the complainant, the Commission.

MR. BEATTIE: Thank you, Judge Kopta. Is
a short form --

JUDGE KOPTA: Short form is perfectly
fine, as long as you filed something, and I know
you have. So just name and party you're
representing.

MR. BEATTIE: Judge Kopta, I'm looking
through my file, and I notice I have not filed a
notice of appearance.

JUDGE KOPTA: Shame on you. In

APPEARANCES

ADMINISTRATIVE LAW JUDGE:
Gregory J. Kopta

ON BEHALF OF WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

JULIAN BEATTIE
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ON BEHALF OF CENTURY LINK QC
LISA ANDERL

Century Link In-House Counsel
1600 Seventh Avenue
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Seattle, Washington 98191

ON BEHALF OF PUBLIC COUNSEL
LISA W. GAFKEN

Assistant Attorney General
800 Fifth Avenue
Suite 2000
Seattle, Washington 98104

Also Present: William H. Weinman, Assistant
Director, Telecommunications,
Washington Utilities &
Transportation Commission

Susie Paul, Compliance
Investigator, Consumer
Protection and Communications,
Washington Utilities &
Transportation Commission

anticipation of you filing one, why don't you just
go ahead and give your name. I think we all know
where you live.

MR. BEATTIE: Thank you, Judge. I'm
Julian Beattie, assistant attorney general
appearing on behalf of Commission staff.

JUDGE KOPTA: And for the company?

MS. ANDERL: Thank you, your Honor. Lisa
Anderl, in-house attorney, appearing on behalf of
Century Link. And I can -- I have not yet filed
anything either, because of the respondent, and we
didn't file an answer, but I can make sure that the
court reporter gets my information afterwards.

JUDGE KOPTA: That would be fine. And for
public counsel?

MS. GAFKEN: Good morning, my name is Lisa
Gafken. I'm an assistant attorney general
appearing on behalf of public counsel.

JUDGE KOPTA: Thank you. Anyone else
wanting to make an appearance? Hearing none, we
will go to interventions. I have not received any
petitions to intervene, and as I understand it,
there is no one on the bridge line or in the
hearing room, but I will give them one last
opportunity. If there is anyone who wants to seek

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1 to intervene in this proceeding?
 2 Hearing nothing, then we go on to the
 3 next, which is a protective order. Is there a need
 4 for a protective order in this docket, Ms. Anderl?
 5 MS. ANDERL: I would anticipate that there
 6 would be, yes. Just the regular protective order,
 7 not highly confidential.
 8 JUDGE KOPTA: All right. I think that
 9 makes sense. And we will enter the standard
 10 protective order in this case.
 11 Service. Anyone have a problem with
 12 getting electronic service?
 13 MS. ANDERL: No objection.
 14 JUDGE KOPTA: All right.
 15 MS. GAFKEN: No objections from public
 16 counsel.
 17 MR. BEATTIE: And the same from staff.
 18 JUDGE KOPTA: Excellent. Discovery? Will
 19 there be a need for discovery in this matter?
 20 MS. ANDERL: There may be.
 21 JUDGE KOPTA: Okay. And we will make the
 22 Commission's discovery rules available. And I
 23 think that leads us to scheduling.
 24 MS. ANDERL: I have one thing before that,
 25 your Honor.

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1 JUDGE KOPTA: Okay.
 2 MS. ANDERL: In terms of the parties who
 3 should be served electronically, and then if there
 4 is a paper copy, who would get that. Do you want
 5 us to provide that now, or do you want us to just
 6 send an e-mail later this -- you know, by a certain
 7 date this week, with the list of who -- who should
 8 be on the e-service, et cetera?
 9 JUDGE KOPTA: Yes, my hope is that we will
 10 just be serving electronically. I'm trying to get
 11 folks to move in that direction.
 12 MS. ANDERL: No hard copies at all?
 13 JUDGE KOPTA: No hard copies at all. And
 14 I would hope that the parties would be willing to
 15 do that with each other, unless there is a request
 16 for a hard copy.
 17 So if you want to -- I mean, in addition
 18 to the attorneys that have spoken up here and any
 19 contacts in the prehearing conference notice that
 20 we have on file, if you wanted anyone other than
 21 that, then please let me know. Sooner rather than
 22 later.
 23 Obviously, I would like to get out these
 24 orders promptly, so if you need some time to decide
 25 who that's going to be, then let me know now so

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1 that I'll know not to enter the order before you've
 2 gotten back to me.
 3 MS. ANDERL: I know who I would like to
 4 include now.
 5 JUDGE KOPTA: Okay.
 6 MS. ANDERL: I feel like I'm on a game
 7 show.
 8 JUDGE KOPTA: Name that tune.
 9 MS. ANDERL: I'd like to try to solve that
 10 puzzle now. In addition to myself, I'd like to
 11 include three other people on the service list, and
 12 that would be Mark Reynolds, and his e-mail is
 13 Mark, dot, Reynolds, and then the Arabic numeral
 14 three at Century Link dot com.
 15 Then Maura Peterson -- sorry, strike that.
 16 Maura Reynolds, first name is M-a-u-r-a, but her
 17 e-mail is Maura, dot, Peterson, P-e-t-e-r-s-o-n, at
 18 Century Link dot com, and John Felz. The last name
 19 is F-e-l-z, and his e-mail is John, dot, Felz at
 20 Century Link dot com.
 21 JUDGE KOPTA: All right. And is everyone
 22 else okay with who we've got on the list?
 23 Ms. Gafken, you're leaning forward.
 24 MS. GAFKEN: I am leaning forward. I
 25 probably don't include this information on notice

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1 -- notices of appearance, but I will request that
 2 three other individuals receive e-mails as well.
 3 And if it's all the same, I think it would be
 4 easier and more efficient if I sent you an e-mail
 5 with those addresses.
 6 They are Carol Baker, Chanda Mak and
 7 Stefanie Johnson, all in quantities. But I'll send
 8 you the e-mails to you immediately after the
 9 prehearing conference.
 10 JUDGE KOPTA: That would be fine. Thank
 11 you. Anyone else, or staff, in addition to
 12 yourself, Mr. Beattie?
 13 MR. BEATTIE: No, thank you, Judge.
 14 JUDGE KOPTA: All right. Then, now, I
 15 believe we're ready to talk about scheduling. Have
 16 the parties had a chance to discuss that among
 17 themselves?
 18 MS. ANDERL: Yes.
 19 MR. BEATTIE: Judge, we have had a phone
 20 conference to discuss scheduling, and came up with
 21 a proposed procedural schedule, which I did send to
 22 Kippy Walker, and I don't know if she's
 23 communicated any of that to you.
 24 JUDGE KOPTA: She has not.
 25 MR. BEATTIE: Okay. So Bill Weinman is

1 handing up a copy of the proposed schedule.
2 Ms. walker represented to me that these dates look
3 okay from -- in terms of availability.

4 JUDGE KOPTA: Okay. Generally, if the
5 parties are okay with dates, I don't have a problem
6 with them, as long as we don't have a statutory
7 deadline. Although, I believe most complaints are
8 supposed to be resolved within ten months, so this
9 would carry us past that time. As long as the
10 company doesn't have an objection to taking longer
11 than the ten months in 80.04.110, then --

12 MS. ANDERL: That's fine, your Honor. I
13 don't think there's any statutory consequence if it
14 takes longer anyway, but we don't object to the
15 schedule and the appropriate amount of time after
16 the conclusion of hearings, if any, for the -- and
17 briefing for the Commission to issue an order.
18 That's fine.

19 JUDGE KOPTA: Okay.

20 MS. ANDERL: I do have one little hiccup
21 that I just noticed, and that is I believe we have
22 our first settlement conference scheduled for June
23 9th.

24 JUDGE KOPTA: Yes.

25 MS. ANDERL: And the Commission just

1 and then we can finalize the rest of this. So
2 we'll be off the record.

3 (Discussion off the record.)

4 JUDGE KOPTA: We'll be back on the record.
5 After a discussion among the parties, it's
6 determined that we will go ahead and stick with the
7 original date, because the workshop that Ms. Anderl
8 referenced is only scheduled for the morning, and
9 the parties can still meet in the afternoon.

10 So I have no problem with this schedule,
11 conditioned only on my confirmation that the
12 commissioners are available during the evidentiary
13 hearing dates. So I will, at this point -- I don't
14 know that I really need to say this on the record,
15 unless anybody really wants me to recite all these
16 dates and times? Okay. I won't.

17 I have the parties' proposal. I think it
18 will be acceptable. I will incorporate that into
19 the prehearing conference order. Is there
20 anything else that we need to handle this morning?
21 Hearing nothing, we are adjourned. Thank you.

22 MS. ANDERL: Thank you.

23 MR. BEATTIE: Thank you, Judge.

24 (The prehearing conference concluded at
25 9:40 a.m.)

1 issued a notice setting a workshop in a case that
2 we may all be interested in. It has to do with the
3 current practices in the industry across all
4 industries regarding credit card payments by
5 customers.

6 JUDGE KOPTA: So we did, yes.

7 MS. ANDERL: So it could be -- that could
8 pose a conflict.

9 JUDGE KOPTA: Is that something that you
10 can resolve, if we took a little time this morning?

11 MS. ANDERL: Yes, I'd be happy to talk off
12 the record. I think we're free, you know, one day
13 on either side. It was June 9th, it was a just a
14 nice day -- it was just a day that everybody was
15 available, but I would be happy to see if we can
16 work on an alternate day.

17 JUDGE KOPTA: Okay. And as far as you
18 know, these hearing dates also work for the
19 commissioners? They will be planning to sit on in
20 this if there is a hearing?

21 MR. BEATTIE: That's correct. That's what
22 Ms. Walker told me.



23 JUDGE KOPTA: That's the only other real
24 constraint here. Why don't we go off the record
25 briefly so that you can see about that first date

1
2
3 CERTIFICATE

4 STATE OF WASHINGTON
5 COUNTY OF KING

6
7 I, Mary M. Paradise, a Certified Shorthand
8 Reporter in and for the State of Washington, do
9 hereby certify that the foregoing transcript of the
10 prehearing conference on April 20, 2015, is true
11 and accurate to the best of my knowledge, skill and
12 ability.

13
14 IN WITNESS WHEREOF, I have hereunto set my
15 hand this 29th day of April, 2015.

16
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25

MARY M. PARADISE, CSR 



<p style="text-align: center;">A</p> <p>a.m 1:17,17 3:2 11:25 ability 12:12 acceptable 11:18 accurate 12:11 addition 6:17 7:10 8:11 addresses 8:5 adjourned 11:21 administrative 1:13 2:3 3:10 afternoon 11:9 ahead 4:2 11:6 alternate 10:16 amount 9:15 Anderl 2:12 4:8,9 5:4,5,13,20,24 6:2 6:12 7:3,6,9 8:18 9:12,20,25 10:7 10:11 11:7,22 answer 4:12 anticipate 5:5 anticipation 4:1 anybody 11:15 anyway 9:14 appearance 3:24 4:20 8:1 appearances 3:14 appearing 4:6,9,18 appropriate 9:15 April 1:18 3:1,12 12:10,15 Arabic 7:13 assistant 2:8,16,19 4:5,17 attorney 2:8,16 4:5 4:9,17 attorneys 6:18 availability 9:3 available 5:22 10:15 11:12 Avenue 2:13,17</p> <hr/> <p style="text-align: center;">B</p>	<p>back 7:2 11:4 Baker 8:6 Beattie 2:7 3:16,22 4:4,5 5:17 8:12,13 8:19,25 10:21 11:23 behalf 2:6,11,15 4:6,9,18 believe 8:15 9:7,21 best 12:11 Bill 8:25 Box 2:9 bridge 4:23 briefing 9:17 briefly 10:25 business 3:14</p> <hr/> <p style="text-align: center;">C</p> <p>C 2:1 3:4 12:2,2 caption 3:7 card 10:4 Carol 8:6 carry 9:9 case 5:10 10:1 Century 1:9 2:11 2:12 3:9 4:10 7:14,18,20 certain 6:6 Certified 12:7 certify 12:9 cetera 6:8 chance 8:16 Chanda 8:6 com 7:14,18,20 Commission 1:2,5 2:6,20,23 3:8,15 4:6 9:17,25 Commission's 5:22 commissioners 10:19 11:12 communicated 8:23 Communications 2:22 company 4:7 9:10 complainant 1:6</p>	<p>3:15 complaints 9:7 Compliance 2:21 concluded 11:24 conclusion 9:16 conditioned 11:11 conduct 3:13 conference 1:12 3:13 6:19 8:9,20 9:22 11:19,24 12:10 confidential 5:7 confirmation 11:11 conflict 10:8 consequence 9:13 constraint 10:24 Consumer 2:22 contacts 6:19 copies 6:12,13 copy 6:4,16 9:1 Corporation 1:8 3:8 correct 10:21 counsel 2:12,15 4:15,18 5:16 COUNTY 12:5 court 4:13 credit 10:4 CSR 1:25 12:20 current 10:3 customers 10:5</p> <hr/> <p style="text-align: center;">D</p> <p>D 3:4 d/b/a 1:8 3:9 date 6:7 10:25 11:7 dates 9:2,5 10:18 11:13,16 day 10:12,14,14,16 12:15 deadline 9:7 decide 6:24 determined 11:6 direction 6:11 Director 2:19 discovery 5:18,19</p>	<p>5:22 discuss 8:16,20 discussion 11:3,5 docket 1:7 3:7 5:4 dot 7:13,14,17,18 7:19,20 Drive 1:19 2:8</p> <hr/> <p style="text-align: center;">E</p> <p>E 2:1,1 3:4,4 12:2,2 e-mail 6:6 7:12,17 7:19 8:4 e-mails 8:2,8 e-service 6:8 easier 8:4 efficient 8:4 either 4:11 10:13 electronic 5:12 electronically 6:3 6:10 enter 5:9 7:1 et 6:8 Evergreen 1:19 2:8 everybody 10:14 evidentiary 11:12 Excellent 5:18</p> <hr/> <p style="text-align: center;">F</p> <p>F 12:2 F-e-l-z 7:19 far 10:17 feel 7:6 Felz 7:18,19 Fifth 2:17 file 3:23 4:12 6:20 filed 3:19,23 4:10 filing 4:1 finalize 11:1 fine 3:19 4:14 8:10 9:12,18 first 3:14 7:16 9:22 10:25 folks 6:11 foregoing 12:9 form 3:17,18 forward 7:23,24</p>	<p>free 10:12</p> <hr/> <p style="text-align: center;">G</p> <p>G 3:4 Gafken 2:16 4:16 4:17 5:15 7:23,24 game 7:6 general 2:8,16 4:5 4:17 Generally 9:4 getting 5:12 give 4:2,24 go 4:2,21 5:2 10:24 11:6 going 6:25 Good 4:16 gotten 7:2 Gregory 1:13 2:4 3:10</p> <hr/> <p style="text-align: center;">H</p> <p>H 2:19 hand 12:15 handing 9:1 handle 11:20 happy 10:11,15 hard 6:12,13,16 hearing 4:20,24 5:2 10:18,20 11:13,21 hearings 9:16 held 1:12 hereunto 12:14 hiccup 9:20 highly 5:7 Honor 4:8 5:25 9:12 hope 6:9,14</p> <hr/> <p style="text-align: center;">I</p> <p>immediately 8:8 in-house 2:12 4:9 include 7:4,11,25 incorporate 11:18 individuals 8:2 industries 10:4 industry 10:3</p>
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