

Torry R. Somers
CenturyLink
6700 Via Austi Pkwy.
Las Vegas, NV 89119
Ph: (702) 244-8100
Fax: (702) 244-7775
torry.r.somers@centurylink.com

Attorney for Qwest Corporation d/b/a CenturyLink QC

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Approval of the Updated
Standard Template Pole Attachment Agreement
of Qwest Corporation d/b/a CenturyLink QC

Docket No. 15-049-05

**APPLICATION FOR APPROVAL OF
THE CENTURYLINK UPDATED
STANDARD TEMPLATE POLE
ATTACHMENT AGREEMENT**

Qwest Corporation d/b/a CenturyLink QC (“CenturyLink”) respectfully requests that the Public Service Commission (“Commission”) approve this application to update CenturyLink’s standard template pole attachment agreement. The Commission approved CenturyLink’s existing standard template pole attachment agreement in its August 28, 2006 order in Docket No. 04-999-03 (the standard pole attachment agreement is often referred to as the “safe harbor” agreement). The safe harbor agreement is a standard template pole attachment agreement which CenturyLink offers entities willing to use the standard contract instead of negotiating a separate pole attachment agreement.¹ It has been many years since the Commission approved CenturyLink’s safe harbor

¹ This safe harbor agreement is not applicable to wireless entities which must enter into a pole attachment agreement that is applicable to wireless attachments. It is also not applicable for a joint-use agreement with power companies and CLECs pole attachment agreements which are handled through filing an interconnection agreement with the Commission. Updating the standard template does not modify any existing executed pole attachment agreements, but only changes the standard template pole attachment agreement moving forward.

agreement. CenturyLink seeks to amend its safe harbor agreement to provide necessary updates given changes in its business, changes that the Commission approved with respect to electronic notification in Docket No. 14-999-03, and changes that were previously approved by the Commission as part of Rocky Mountain Power's safe harbor agreement in Docket No. 10-035-97.

CenturyLink's proposed amended safe harbor agreement is attached hereto. Attachment 1 is a redlined/bluelined amended safe harbor pole attachment agreement. Attachment 2 is a clean copy of the amended safe harbor agreement that reflects the acceptance of the changes identified in Attachment 1. These are being submitted for the Commission's review and approval under Utah Administrative Code R746-345-3.

Attachment 1 reflects changes that the Commission approved in 2012 for Rocky Mountain Power² and changes consistent with the Commission's 2012 approval of the use of an Electronic Notification System.³ The previously approved Commission changes are highlighted in yellow. In addition there are other changes that are reflected in redlined/bluelined format that CenturyLink proposes to include in its safe harbor pole attachment agreement.

Summary of the proposed CenturyLink amendments include the following:

1. Yellow highlights indicate changes pursuant to the Rocky Mountain Power proceeding.
2. Entity changes can be found in the following sections: Introduction, Paragraph 1, Article XII, Signature block.
3. Correction made to the citation in the definition of Audit.
4. Clarifications made in order to change the nature of this contract from a joint use agreement to a license agreement: Paragraph 1, Recitals, Definitions of Audit, Licensee, Pole Owner, Unused

² Report and Order in Docket No. 10-035-97, November 21, 2012. Synopsis; *The Commission approves a settlement stipulation and authorizes changes to Electric Service Schedule 4 and the "Safe Harbor" pole attachment agreement previously approved in Docket No. 14-999-03.*

³ Use of an Electronic Notification System by CenturyLink and Rocky Mountain Power was approved by the Commission in its April 27, 2012 order in Docket No. 11-035-199.

Equipment, Sections 2.01 – 2.03, 3.01 – 3.15, 3.17 – 3.26, 4.01 – 4.04, 5.01 – 5.04, 7.04, 7.06, 7.11, Article VIII, Sections 9.04, and 10.01 – 10.03.

5. Address updates are made in Section 5.03 and Article XII.
6. Insurance requirements were updated to current standards in Article X.
7. Limitation of Liability requirements were updated based on language that CenturyLink has implemented in its pole attachment agreements in other states.
8. Operational clarifications and updates to current CenturyLink engineering and the NESC.

CenturyLink respectfully requests the Commission approve the attached amended standard template pole attachment agreement.

RESPECTFULLY SUBMITTED this 20th day of March, 2015

CENTURYLINK



Torry R. Somers
CENTURYLINK
6700 Via Austi Pkwy.
Las Vegas, NV 89119
Ph: (702) 244-8100
Fax: (702) 244-7775
torry.r.somers@centurylink.com

Attorney for CenturyLink