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State of Utah  
Department of Commerce  
Division of Public Utilities

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*Executive Director*

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*Director, Division of Public Utilities*

--= MEMORANDUM =--

**To:** Public Service Commission

**From:** Division of Public Utilities  
Chris Parker, Director  
Bill Duncan, Telecommunications / Water Manager  
Casey J. Coleman, Utility Technical Consultant

**Date:** August 19, 2013

**Re:** In the Matter of the Approval of the Pole Attachment Agreement between Google Fiber Utah, LLC and Qwest Corporation d/b/a CenturyLink QC per Docket No. 13-049-14.

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**RECOMMENDATION:**

The Division recommends the Commission approve the pole attachment agreement between Google Fiber Utah, LLC and Qwest Corporation.

**BACKGROUND:**

On July 18, 2013 Qwest Corporation d/b/a CenturyLink QC (“CenturyLink”) filed a petition with the Commission requesting approval of a pole attachment agreement between Century Link and Google Fiber Utah, LLC (“Google”). As indicated in the petition the agreement submitted is similar to the proposed “Safe Harbor” agreement filed in 2006 by CenturyLink.

Most of the distinctions between the Agreement and the Safe Harbor reflect changes that the Commission recently approved in Docket No. 10-035-97 with respect to Rocky Mountain Power Company’s Safe Harbor agreement.<sup>1</sup>

The Division reviewed the agreement filed with the Commission and recommends the approval of the contract. The Division believes that both parties voluntarily negotiated the proposed contract incorporating most of the terms of the standard contract, while modifying the agreement in other places that were agreed upon during good faith negotiations.

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<sup>1</sup> See, Report and Order in Docket No. 10-035-07 dated November 21, 2012.

Additionally, the Commission allowed for a comment period in this Docket that ended August 15, 2013. No other parties filed any comments opposing this Pole Attachment agreement. Because the contract was negotiated in good faith, both parties agree, and there is no opposition to the petition, the Division recommends approval.

cc: Justin Jetter, Assistant Attorney General  
Torry R. Somers, CenturyLink  
James Farr, CenturyLink