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Division of Public Utilities

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CHRIS PARKER  
*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:** September 3, 2013

**Re:** In the Matter of CenturyLink's Petition for Review and Modification of its Performance Assurance Plan and Performance Indicator Definitions Consistent with the Colorado Settlement per Docket No. 13-049-15.

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**RECOMMENDATION:**

The Division recommends the Commission Approve Exhibits Y redesigned PAP and Z redesigned PIDs and deem all existing interconnection agreements that currently contain PAP and PIDs be modified to incorporate the revisions..

**BACKGROUND:**

On July 29, 2013 CenturyLink filed a petition with the Commission requesting review and modification of its Performance Assurance Plan. As part of that petition CenturyLink requested the Commission approve proposed changes to the current Performance Assurance Plan ("PAP") and Performance Indicator Definitions ("PIDs") to mirror the changes approved in Colorado.

The Division has reviewed the submitted information by CenturyLink. The PAP and PID revision would streamline the process of monitoring for CenturyLink while providing for a tiered payment structure for companies who would be impacted by CenturyLink not meeting the PAP. The Division believes that interested parties either participated in the proceedings in Colorado or have had time to express any concerns with the proposed changes.

As of the date of this memo, the Division is not aware of any party opposing this petition. Additionally the Division believes adoption of the proposed revisions has merit for CenturyLink

as well as Competitive Local Exchange Carriers. Therefore the Division recommends the Commission grant the petition and order the following:

1. Approve Exhibits Y (redesigned PAP) and Z (redesigned PIDs) with an effective date of January 1, 2014, to replace the existing PAP and PIDs in Utah;
2. Deem all existing interconnection agreements that currently contain the PAP and PIDs be modified to incorporate these revisions, also effective January 1, 2014, without need for further filings or approvals;

Finally, because there has been no opposition to this petition the Division agrees with CenturyLink that the Petition be adjudicated informally under Utah Code Ann. §63-46b-5 and R746-110 of the Commission's Rules;

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