



State of Utah
Department of Commerce
Division of Public Utilities

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--= 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: October 22, 2013

Re: In the Matter of Qwest Corporation d/b/a CenturyLink QC's Petition for Commission Approval of 2013 Additions to its Non-Impaired Wire Center List per Docket No. 13-049-18.

RECOMMENDATION:

The Commission should add Clearfield and Kearns wire centers to its non-impaired wire center list in accordance with the FCC's *Triennial Review Remand Order* ("TRRO").

BACKGROUND:

On August 30, 2013, Qwest Corporation d/b/a CenturyLink QC ("CenturyLink") filed to have the Clearfield and Kearns wire centers added as non-impaired exchanges because the number of CLECs co-located in each exchange meets the required threshold, as outlined in the TRRO.

The Division reviewed data supplied by CenturyLink to ensure the methodology outlined by the Commission's order in Docket No. 06-049-40 was followed. In looking at the information provided, it appears that CenturyLink did follow the process to verify the number of fiber-based collocators in each wire center.

The TRRO defines a fiber based collocator as any carrier, unaffiliated with the incumbent LEC, that maintains a collocation agreement in an incumbent LEC wire center, with active electrical power supply, and operates a fiber-optic cable or comparable transmission facility that:

- a) terminates at a collocation arrangement within the Wire Center.
- b) leaves the incumbent LEC's Wire Center Premise; and
- c) is owned by a party other than the incumbent LEC or any affiliate of the incumbent LEC, except as set forth in this definition.

CenturyLink conducted an inventory of Fiber-Based Collocators to ascertain the number of fiber-based collocators in each wire center. With that inventory completed, CenturyLink conducted a physical field verification of the fiber-based collocators to cross-reference the impacted wire centers. Finally, CenturyLink sent letters to each of the Fiber-Based Collocators requesting further validation of the results from their inventory.

Following the above outlined process, CenturyLink was able to determine that Clearfield and Kearns should be added to the non-impaired wire center list as a result of the number of fiber based collocators in each wire center.

Integra Telecom of Utah, Inc., Electric Lightwave, LLC, and Eschelon Telecom of Utah, Inc. (collectively "Integra") filed a petition to intervene in this Docket so they could verify the claims made by CenturyLink. On October 11, 2013 Integra filed a petition indicating they had not been able to contact the final company to verify the information filed by CenturyLink. One week later on October 18, 2013, Integra filed an updated petition indicating that they had been able to verify the information filed by CenturyLink and they did not oppose the designation of Clearfield and Kearns wire centers as non-impaired.

The Division agrees with CenturyLink that based on the number of collocators Clearfield and Kearns should be added to the non-impaired wire center list.

cc: Justin Jetter, Assistant Attorney General
James B. Farr, Regulatory Affairs Director, CenturyLink
Torry R. Sommers, CenturyLink