

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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| In the Matter of Qwest Corporation d/b/a CenturyLink QC's Petition for Commission Approval of 2015 Additions to its Non- Impaired Wire Center List | <u>DOCKET NO. 15-049-10</u> <u>REPORT AND ORDER</u> |
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ISSUED: August 7, 2015

This matter is before the Commission on the June 15, 2015 petition of Qwest Corporation d/b/a CenturyLink QC ("CenturyLink") for approval to make additions to its non-impaired wire center list in accordance with the Federal Communications Commission's Triennial Review Remand Order. In the petition, CenturyLink has proposed to reclassify wire centers located in American Fork, Kaysville, and Salt Lake East, Utah.

On June 19, 2015, the Commission issued both a protective order and a notice of filing and comment period, setting a comment deadline of July 15, 2015, and a reply comment deadline of July 27, 2015.

On June 22, 2015, CenturyLink filed an affidavit of Renee Albersheim with highly confidential attachments A-D¹ in support of the June 15, 2015 petition.

On June 29, 2015, Integra Telecom of Utah, Inc., Electric Lightwave, LLC, and Eschelon Telecom of Utah, Inc. (collectively "Integra") petitioned to intervene.²

On July 15, 2015, the Utah Division of Public Utilities ("Division") requested that the July 15, 2015 and July 27, 2015 comment deadlines be extended. On July 16, 2015, the

¹ On June 24, 2015, CenturyLink filed an updated version of its highly confidential attachment D.

² Prior to filing its petition to intervene, Integra agreed to be bound by the terms of the Commission's June 19, 2015 protective order. Integra signed the agreement on June 26, 2015 and filed it on June 29, 2015.

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Commission granted the Division's request, setting July 29, 2015 as the comment deadline and August 10, 2015 as the reply comment deadline.

Also on July 16, 2015, Integra submitted comments, including a highly confidential exhibit A. In highly confidential exhibit A, Integra represented that six of the nine CLLI sites at issue had been verified, while five additional sites remained under review.

On July 20, 2015, the Commission issued an order granting Integra's petition to intervene.

On July 23, 2015, the Division filed comments, verifying that "CenturyLink did follow the process to verify the number of fiber-based collocators in each wire center."³ The Division concluded: "[B]ased on the number of collocators[,] American Fork, Kaysville and Salt Lake City East should be added to the non-impaired wire center list."⁴

On July 29, 2015, CenturyLink filed comments, requesting approval of its petition per the Division's comments.

On July 30, 2015, Integra filed comments, stating: "Based on the Division's filing, discussions with the Division regarding its filing, and Integra's independent investigation of carriers CenturyLink identified as fiber-based collocators, Integra does not object to CenturyLink's petition[.]"⁵

³ Comments of the Utah Division of Public Utilities at 1, filed July 23, 2015.

⁴ Comments of the Utah Division of Public Utilities at 2, filed July 23, 2015.

⁵ Comments of Integra Telecom of Utah at 1, filed July 30, 2015.

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ORDER

Having reviewed the application, the Division's recommendation, and the comments of Integra, the Commission finds approval of the application to be just, reasonable, and in the public interest.⁶ Accordingly, the Commission approves CenturyLink's petition to amend its non-impaired wire center list to include the wire centers located in American Fork, Kaysville and Salt Lake City East, Utah, in accordance with the Federal Communications Commission's Triennial Review Remand Order.

DATED at Salt Lake City, Utah, this 7th day of August, 2015.

/s/ Jennie T. Jonsson
Administrative Law Judge

Approved and confirmed this 7th day of August, 2015, as the Report and Order issued by the Public Service Commission of Utah.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan White, Commissioner

Attest:

/s/ Gary L. Widerburg
Commission Secretary
DW#267956

⁶ The Commission notes that the final reply deadline of August 10, 2015 has not yet passed. However, where all parties agree regarding the appropriate outcome, the Commission sees no reason to delay its order.

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this order by filing a request for review or rehearing with the Commission within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on the 7th day of August, 2015, a true and correct copy of the foregoing was served upon the following as indicated below:

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