



State of Utah

Department of Commerce  
Division of Public Utilities

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## Action Request Response

**To:** Utah Public Service Commission

**From:** Utah Division of Public Utilities

Artie Powell, Director

Doug Wheelwright, Utility Technical Consultant Supervisor

Casey J. Coleman, Utility Technical Consultant

**Date:** June 19, 2020

**Re:** **Docket No. 20-049-11** In the Matter of Qwest Corporation d/b/a CenturyLink QC's Petition for Approval and Amendments to the Qwest Performance Assurance Plan and Performance Indicator Definitions to Implement the FCC's 2019 Forbearance Orders (Approve).

### Recommendation (Approve)

The Division of Public Utilities (Division) recommends the Utah Public Service Commission (Commission) approve the proposed changes to the Qwest Performance Assurance Plan and Performance Indicator Definitions to implement the Federal Communications Commission's (FCC) 2019 Forbearance Order.

### Background

On June 5, 2020 Qwest Corporation d/b/a CenturyLink QC (CenturyLink) filed a petition outlining changes to its existing Qwest Performance Assurance Plan (PAP) and Performance Indicator Definitions (PIDs). More specifically, CenturyLink requested the Commission amend the existing PAP and PIDs by deleting references to products and network elements for which the FCC recently ruled Regional Bell Operating Companies (RBOCs) like CenturyLink will no longer be required to offer.

Since the last amendment to the PIDs and PAP approved by the Commission, the FCC eliminated and modified some obligations of RBOCs to provide certain products and network elements. The FCC eliminated the requirement for RBOCs to continue offering the avoided cost retail discount to resellers, and also eliminated the requirement for RBOCs to continue offering analog loops.

In the petition, CenturyLink requests the following relief from the Commission. Approve the redesigned PIDs and PAP. Deem all existing interconnection agreements that currently contain the PAP and PIDs be modified to incorporate any revisions without need for further filings and approvals. Finally, if there is no opposition to CenturyLink's petition within 30 days, the petition would be granted without a hearing or further filings.

### **Recommendation**

The Division reviewed CenturyLink's petition and recommends the Commission accept the proposed changes to the PAP and PIDs. The changes are in accordance with the guidelines established by the FCC. Additionally, once the changes are implemented the Competitive Local Exchange Carriers in the State of Utah will not be materially impacted by the changes. Based on the information provide, the Division recommends the Commission approve the changes and accept the relief sought by CenturyLink. The Division recommends the changes become effective July 20, 2020.

Cc: Justin Jetter, Assistant Attorney General  
Jennifer Somers, Director Government Affairs, CenturyLink  
William E. Hendricks, Director Government Affairs, CenturyLink