

November 16, 2023

Via Email:
psc@utah.gov

Gary Widerburg
Commission Administrator
Utah Public Service Commission
Heber M. Wells Building, 4th Floor
160 East 300 South
Salt Lake City, UT 84111

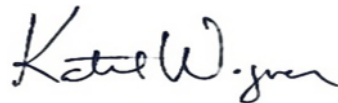
**Re: Docket No. 23-049-01
Qwest Corporation dba CenturyLink QC Petition for Statewide
Exemption from Carrier of Last Resort Obligations
Rebuttal Testimony of Alan Lubeck**

Dear Mr. Widerburg:

Attached for filing please find the Rebuttal Testimony of Alan Lubeck in Support of CenturyLink's Petition for Statewide Exemption from the Carrier of Last Resort Obligations.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Katie Wagner
Senior Corporate Counsel

Attachments

cc: Service List

CENTURYLINK

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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

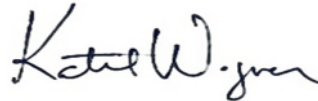
In the Matter of)	Docket No. 23-049-01
)	
QWEST CORPORATION DBA CENTURYLINK QC)	
)	
Petition for Statewide Exemption from Carrier)	
of Last Resort Obligations)	

REBUTTAL TESTIMONY OF ALAN LUBECK

Qwest Corporation dba CenturyLink QC hereby submits the Rebuttal Testimony of Alan Lubeck in this docket.

Dated this 16th day of November, 2023.

CENTURYLINK



By: _____
Katie N. Wagner, OK Bar #33296
Senior Corporate Counsel
Katie.wagner@lumen.com
405-669-8712

Certificate of Service
Docket No. 23-049-01

I hereby certify that a true and correct copy of the foregoing Rebuttal Testimony of Alan Lubeck was served by email this 16th day of November, 2023 on the following:

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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of) Docket No. 23-049-01
)
QWEST CORPORATION DBA CENTURYLINK QC)
)
Petition for Statewide Exemption from Carrier)
of Last Resort Obligations)

REBUTTAL TESTIMONY OF ALAN LUBECK

Rebuttal Testimony of Alan Lubeck
On Behalf of
Qwest Corporation dba CenturyLink QC

November 16, 2023

1 **I. IDENTIFICATION OF WITNESS**

2 **Q. PLEASE STATE YOUR NAME AND CURRENT POSITION.**

3 A. My name is Alan Lubeck. I am employed by Qwest Corporation d/b/a CenturyLink QC
4 (CenturyLink) as a Director of Public Policy, and I am providing this rebuttal testimony on
5 behalf of CenturyLink. I adopt and incorporate by reference CenturyLink’s direct
6 testimony filed by witness David Ziegler.

7
8 **Q. WHAT ARE YOUR CURRENT RESPONSIBILITIES?**

9 A. I work with the state government affairs teams on regulatory, legislative and local
10 government issues for twenty-five states including Utah.

11
12 **Q. PLEASE REVIEW YOUR EDUCATIONAL AND EMPLOYMENT
13 BACKGROUND.**

14 A. I received a B.S. in Accounting from the University of Nebraska – Lincoln in 1980, then
15 spent six years at what is now Price Waterhouse Coopers working with audit and tax
16 clients. I joined Sprint in 1986, serving in various tax, accounting and finance positions. I
17 joined Sprint’s Wholesale organization just after the 1996 Federal Telecom Act was
18 passed, and over the next decade I negotiated interconnection, resale and collocation
19 agreements. I moved to the Wholesale Product group in 2006, where I managed Special
20 Access and Interconnection products and services. In 2009 I joined the Public Policy
21 organization working on both federal and state level issues. In that capacity I have worked
22 on federal and state Lifeline policies, CAF I and CAF II federal issues, state broadband
23 programs, grant applications and reimbursement requests, as well as state deregulation
24 dockets in Wyoming and Minnesota.

1 **Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE UTAH PUBLIC SERVICE**
2 **COMMISSION OR OTHER PUBLIC UTILITY COMMISSIONS?**

3 A. I have not testified before the Utah Public Regulation Commission but have testified in
4 Commission dockets in Minnesota, Nebraska, South Carolina, Texas, and Wyoming.

5
6 **II. PURPOSE OF TESTIMONY**

7 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

8 A. The purpose of my testimony is to support the *Petition of Qwest Corporation d/b/a*
9 *CenturyLink QC for Statewide Exemption from Carrier of Last Resort Obligations*. The
10 objective of my testimony is to respond to certain issues raised in the testimony of witnesses
11 for the Department of Public Utilities (“DPU”), the Office of Consumer Services (“OCS”),
12 and the Utah Rural Telecom Association (“URTA”).

13
14 **III. REBUTTAL TO DEPARTMENT OF PUBLIC UTILITIES**

15 **Q. DO ALL THE SERVICES CENTURYLINK IDENTIFIES AS OFFERING**
16 **COMPETITION QUALIFY AS FUNCTIONALLY EQUIVALENT SERVICES?**

17 A. Yes. Utah’s governing statute for universal service fund states that “the commission shall
18 use funds in the Universal Public Telecommunications Service Support Fund to... fund
19 one-time distributions from the Universal Public Telecommunications Service Support
20 Fund for a non-rate-of-return regulated carrier of last resort’s deployment and management
21 of networks capable of providing: (i) access lines; (ii) connections; or (iii) broadband
22 Internet access service.” Utah Code § 54-8b-15(3)(d). This statute further clarifies that
23 “broadband Internet access service’ means the same as that term is defined in 47 C.F.R.
24 Sec. 8.2.” *Id.* at § 54-8b-15(1)(a). While I am not an attorney, it is clear then, that Utah has

1 adopted by reference the definitions contained in federal regulation 47 C.F.R. § 8.2. This
2 federal regulation therefore sets forth the type of services that qualify for Utah’s universal
3 service funding support for carriers of last resort (“COLR”). Because these services
4 explicitly qualify for COLR funding, they must be considered functionally equivalent. *See*
5 Utah Code § 54-8b-3(5)(b) (functionally equivalent services as a factor of competition).

6
7 **Q. WHAT TYPE OF SERVICES ARE CONSIDERED “BROADBAND INTERNET**
8 **ACCESS SERVICE” ACCORDING TO 47 C.F.R. § 8.2?**

9 A. Broadband internet access services include both wire and radio service. 47 C.F.R. § 8.2(a).
10 “Fixed broadband Internet access service includes fixed wireless services (including fixed
11 unlicensed wireless services), and fixed satellite services.” 47 C.F.R. § 8.2(d). Mobile
12 broadband Internet access service means a “broadband Internet access service that serves
13 end users primarily using mobile stations.” 47 C.F.R. § 8.2(e).

14
15 **Q. WHAT TYPE OF SERVICES IS CENTURYLINK RELYING ON IN SHOWING**
16 **EFFECTIVE COMPETITION EXISTS IN UTAH?**

17 A. CenturyLink’s Petition at Exhibit 5 includes wired voice services (supported by copper,
18 fiber, and cable technology), licensed fixed wireless (connecting two fixed locations such
19 as tower to building via a radio or other wireless link), and mobile wireless (a type of
20 internet connection that uses a network of cell towers to connect with a smartphone to
21 transfer signals wirelessly via radio waves that carry calls, texts, and data). These are
22 precisely the types of technology contemplated by Utah Code § 54-8b-15 and 47 C.F.R.
23 § 8.2. CenturyLink’s Petition at Exhibit 5 did not include satellite service, but in light of
24 47 C.F.R. § 8.2(d) explicitly approving of satellite as a functional equivalent service, I

1 incorporate by reference Exhibit 1, CTL-0517, which shows that satellite service is a
2 competitive equivalent service that further supports CenturyLink’s relief from COLR
3 obligations. SpaceX’s StarLink, Viasat, and Hughes Net all show that 100% of units in
4 Utah are served by satellite.

5
6 **Q. WHAT DOES THIS MEAN FOR UTAH’S CARRIERS OF LAST RESORT?**

7 A. The Utah Universal Service Fund statute allows a non-rate-of-return-regulated carrier to
8 use broadband internet access service, including mobile broadband, to receive state USF
9 support to fulfill its COLR obligations. Whether by statute, federal policy, state policy, or
10 market share, broadband internet access, including mobile broadband and fixed wireless,
11 these types of voice services are functionally equivalent to plain old telephone service
12 (POTs) lines.

13
14 **Q. IN ADDITION TO EXHIBIT 5 TO CENTURYLINK’S PETITION, WHICH USES
15 FCC NATIONAL BROADBAND MAPPING TO SHOW
16 TELECOMMUNICATION COVERAGE AVAILABILITY, IS MORE DETAILED
17 EVIDENCE OF COMPETITION AVAILABLE?**

18 A. Yes. H3 Hexagon, Index 8 level is included in the publicly available Broadband Map data.
19 This shows coverage down to a very granular size of about 0.7 square kilometers.

1 **IV. REBUTTAL TO OFFICE OF CONSUMER SERVICES**

2 **Q. HOW DO YOU RESPOND TO OSC’S TESTIMONY THAT THERE MAY BE**
3 **POCKETS OF CUSTOMERS OR EVEN INDIVIDUAL CUSTOMERS WITHIN A**
4 **COMPETITIVE WIRE CENTER THAT DO NOT HAVE ACCESS TO**
5 **COMPETITIVE OPTIONS AVAILABLE TO THE WIRE CENTER AS A**
6 **WHOLE?**

7 A. CenturyLink believes that modernizing telecommunications is a more productive solution
8 to this problem, rather than doubling down on antiquated COLR policies. The Utah
9 Broadband Center, an initiative of the Governor’s Office of Economic Opportunity,
10 recently published the Utah Digital Connectivity Plan. This plan is a requirement for
11 participation in the federal Broadband Equity Access and Deployment (“BEAD”) program
12 which will allocate \$42.45 billion of federal funding through the National
13 Telecommunications and Information Administration (“NTIA”). Through the BEAD
14 program, Utah will receive \$317 million to deploy affordable high-speed internet to Utahns
15 who live and work at locations that qualify as unserved or underserved. As part of the
16 BEAD process, Utah has completed its Initial Proposal, Volume 1 and is in the process of
17 completing the Initial Proposal, Volume 2, which is due in December.¹ In the Initial
18 Proposal, Volume 1, the Utah Broadband Center designated locations served by DSL as
19 “underserved”, making large parts of CenturyLink’s service territory available for
20 competitive BEAD grants.² The solution to addressing pockets of Utahns that may not have
21 access to competitive options is to provide them with broadband equity moving forward.

¹ Utah Broadband Center. Initial Proposal, Vol. 1. Retrieved from <https://www.connectingutah.com/initial-proposal>.

² Utah Broadband Center. Initial Proposal, Vol. 1. Retrieved from https://www.connectingutah.com/files/ugd/ceee1c_281a44aa014641deba544c3068fff98f.pdf.

1 This is also consistent with the explicit legislative policy of the State to “encourage new
2 technologies and modify regulatory policy to allow greater competition in the
3 telecommunications industry.” Utah Code § 54-8b-1.1(8).

4
5 **Q. IN WEIGHING PUBLIC INTEREST, WHY IS IT CRITICAL THAT THE**
6 **COMMISSION TAKE INTO ACCOUNT BEAD FUNDING?**

7 A. A wholistic approach to existing COLR obligations that focuses on modernizing the
8 telecommunication industry is undoubtedly in the public interest as “federal and state
9 regulators must reconsider how legacy regulatory obligations should evolve as service
10 providers accelerate their transition from Public Switched Telephone Network (PSTN) to
11 an all-IP world.” *See* FCC 11-161, ¶15.³ At the same time that Utah is receiving an
12 unprecedented influx of funding – \$317 million – to expand broadband access, this
13 Commission is tasked with determining whether CenturyLink (1) is subject to effective
14 competition and (2) whether a COLR exemption is in the public interest. *See* Utah Code
15 § 54-8b-3(4)(a) and (b). The purpose, in part, of this enormous amount of BEAD funding
16 is to expand competing telecommunications services available from alternate providers. *Id.*
17 at § 54-8b-3(5)(a). The BEAD expansion will therefore allow for alternate providers to
18 supply competing services that are functionally equivalent or suitable. *Id.* at § 54-8b-
19 3(5)(b). This will undoubtedly further erode CenturyLink’s market share as competition
20 increases. *Id.* at § 54-8b-3(5)(c). Additionally, BEAD funding reduces economic and
21 regulatory barriers of entry into the telecommunication market as Utah’s \$317 million of
22 BEAD funding is distributed to telecommunication providers. *Id.* at § 54-8b-3(5)(d). The

³ Federal Communications Commission, Report and Order and Further Notice of Proposed Rulemaking, October, 2011. Retrieved from https://docs.fcc.gov/public/attachments/FCC-11-161A1_Rcd.pdf.

1 impact of this competition is simple – Utah consumers can continue to expect more and
2 more options and availability in telecommunication providers. *Id.* at § 54-8b-3(5)(e).

3
4 **Q. HOW DO YOU RESPOND TO OSC’S TESTIMONY THAT A CUSTOMER IN**
5 **THE BOUNTIFUL WIRE CENTER WAS UNABLE TO ACCESS A**
6 **COMPETITIVE SERVICE?**

7 A. Reviewing the FCC National Broadband Map, it appears the specific customer at issue has
8 residential fixed broadband coverage available from Comcast, Hughes Network Systems,
9 LLC, JAB Wireless, Lumen, SpaceX, and T-Mobile. See Exhibit 2, CTL-0518-520.
10 Mobile broadband is also available from AT&T, Dish Network, T-Mobile, and Verizon.
11 *Id.* Confidential Exhibit OCS 1.2D states only that the customer attempted to acquire
12 alternate services from Xfinity (Comcast), Verizon 5G and AT&T mobile service
13 specifically but makes no mention of any of the other listed providers serving her address.
14 It appears then that alternate providers were available for this location, but the customer
15 did not review all options. Additionally, this customer’s service was restored and a credit
16 for a full month of service was issued on the account.

17
18 **Q. WHAT IMPACT WOULD COLR RELIEF HAVE ON CAPTIVE CUSTOMERS?**

19 A. OCS’s testimony states that “a customer is only captive if the customer does not have any
20 option for service other than the COLR...” OCS Anderson Testimony 6:116-118.
21 Logically, there cannot be any impact to “captive customers” because this is not a
22 discontinuance action, and therefore COLR relief does not impact any customer that alleges
23 they are captive. Although OCS cites to 54-8b-15(1)(b)(ii)(B) to assert that a “captive
24 customer” includes future customers, that does not change the fact that (1) there are not

1 currently any non-customers requesting services such that they could be considered
2 “captive customers” under OCS’s analysis, which highlights the speculative nature of this
3 reasoning, and (2) the entire purpose of this proceeding is to seek relief from this code
4 section. I would therefore respectfully suggest that relying on this code section to define
5 “captive customers” as including future, potential, speculative, and currently non-existing
6 customers is circular reasoning that cannot be relied upon in determining CenturyLink’s
7 right to COLR relief. Instead, the Commission is required to look at the impact to existing
8 customers who believe they may lack alternative telecommunication options, and because
9 CenturyLink does not seek to discontinue service to existing customers in this proceeding,
10 there simply is no impact to “captive customers.” Moreover, “in determining if the
11 proposed exemption is in the public interest, the commission shall consider, in addition to
12 other relevant factors, the impact...on captive customers...” That is to say, the issue of
13 captive customers is not the only factor this Commission must consider when weighing
14 public interest. As outlined above, the existence of BEAD funding assures the public
15 interest will be satisfied by expanding broadband equity, irrespective of the fact that
16 existing captive customers are not be impacted by exempting CenturyLink from COLR
17 obligations.

18
19 **Q. HOW DO YOU RESPOND TO OCS’S CONTENTION THAT UNLESS A**
20 **SUBSTITUTE CARRIER OF LAST RESORT IS SECURED,**
21 **DISCONTINUATION THROUGH ATTRITION WILL OCCUR?**

22 A. Again, captive customers that do “not have any option for service other than the COLR...”
23 are not losing any service under this proceeding. *See* OCS Anderson Testimony 6:116-118.
24 Notwithstanding this, from a policy perspective CenturyLink disagrees fundamentally with

1 OCS’s position that a substitute COLR is needed. The BEAD Program – not expanding
2 COLR – is the answer to modernizing the universal service challenge. In addition, as noted
3 by DPU witness Slusher, there are 22 states within the CenturyLink/Brightspeed footprint
4 that have already provided COLR relief. DPU Slusher Testimony, 5:118.

5
6 **Q. SHOULD ONGOING MAINTENANCE AND SERVICE QUALITY**
7 **REQUIREMENTS BE REQUIRED IF CENTURYLINK IS GRANTED COLR**
8 **RELIEF?**

9 A. No. In the event that this Commission finds that CenturyLink is subject to effective
10 competition, the Utah legislature has declared it is the explicit policy of the State to “allow
11 flexible and reduced regulation for telecommunications corporations and public
12 telecommunications services as competition develops.” Utah Code § 54-8b-1.1(4).
13 Additionally, imposing service quality regulations simply because CenturyLink would no
14 longer be a COLR would be premature and unfairly burdensome as it is not based on any
15 demonstrable issue related to service quality. This Commission should not create overhasty
16 regulations that are contrary to legislative intent. Instead, if a service-quality concern were
17 to arise, the Commission retains jurisdiction over every telecommunication service
18 exempted under Utah Code § 54, Chapter 8b, allowing the Commission to address any
19 additional needs when appropriate. *Id.* at § 54-8b-7 (continuous jurisdiction of
20 commission).

1 **Q. WITHOUT A COLR OBLIGATION, WILL CENTURYLINK MAINTAIN**
2 **ADEQUATE SERVICE QUALITY?**

3 A. Yes. CenturyLink is dedicated to providing all customers with the best service possible,
4 and regardless of whether or not CenturyLink is a COLR, CenturyLink will continue to
5 provide quality telecommunications services to all customers. By way of example,
6 CenturyLink has received COLR relief in numerous other states and continues to provide
7 high quality services to its customer base.

8
9 **Q. DOES PROPER PROTECTION FOR CUSTOMERS WITHOUT COMPETITIVE**
10 **CHOICE EXIST?**

11 A. Yes. While CenturyLink believes that all customers have competitive options, existing
12 captive customers will not have their service discontinued as a result of this proceeding,
13 and the Commission retains jurisdiction to address any additional needs when appropriate.
14 *Id.* at § 54-8b-7 (continuous jurisdiction of commission). Additionally, with the influx of
15 BEAD funding, Utah consumers will increasingly have competitive service options.

16

17 **V. REBUTTAL TO UTAH RURAL TELECOM ASSOCIATION**

18 **Q. IS ETC DESIGNATION A FAIR COMPARISON TO COLR REQUIREMENTS?**

19 A. In this instance, no. URTA states that “[t]he idea Congress enacted was to have a carrier
20 obligated to provide universal services for every portion of every community.” URTA
21 Testimony 5:119-121. This is not a federal docket, and CenturyLink is not applying to be
22 relieved of federal ETC requirements. If URTA thinks that the Utah Legislature erred by
23 enacting laws allowing COLR to be exempted, URTA should take that up with the
24 legislature. CenturyLink is applying to be relieved of COLR obligations according to

1 Utah’s legislative code. But the comparison as cited by URTA does not account for funding
2 obligations. Congress intended that ETC designation should be accompanied by a funding
3 mechanism. A better comparison would be that ETC obligations at the federal level assume
4 that carriers will provide service in their area in exchange for funding support – just as
5 COLR obligations exist as part of a regulatory compact that COLR carriers will receive
6 ongoing funding support. Here, CenturyLink is a COLR that no longer receives federal or
7 ongoing state funding but remains obligated to serve any customer that requests service.

8
9 **Q. IN GRANTING COLR RELIEF, SHOULD THE COMMISSION FOLLOW THE**
10 **METHOD OF RELINQUISHING ETC DESIGNATION AT A FEDERAL LEVEL?**

11 A. No. URTA’s comparison of relinquishing ETC status being the equivalent of COLR relief
12 is not factually accurate. Instead, the comparison is more similar to requesting a
13 discontinuance, where a carrier would be required to show there are alternate providers in
14 the area discontinuance is sought. Here, CenturyLink has been very clear that it is not
15 seeking a discontinuance. Moreover, it has demonstrated that there are numerous alternate
16 providers with functionally equivalent services in all wire centers.

17
18 **Q. IS CENTURYLINK REQUIRED TO RELINQUISH ITS ETC DESIGNATION TO**
19 **RECEIVE COLR RELIEF?**

20 A. No. URTA claims that “[w]ithout, relinquishing it’s ETC designation for the Utah wire
21 centers, CenturyLink remains obligated to provide ... universal services....” URTA
22 Testimony 7:157-159. However, the code section URTA relies upon specifies that ETCs
23 should “offer the services that are supported by Federal universal support mechanisms....”
24 47 USC § 214(e)(1). Again, CenturyLink is not receiving federal funding support.

1 Moreover, CenturyLink has received COLR relief in several other states without
2 relinquishing ETC designation. Finally, URTA’s position on this again conflates ETC
3 discontinuation with COLR obligations. On the federal level, a carrier retains its ETC
4 designation and responsibility to provide voice service until it seeks discontinuance
5 authority from the FCC. *See* FCC 20-5 Report and Order at ¶137 (“More generally, price
6 cap carriers must continue to maintain existing voice service until they receive
7 discontinuance authority . . .”) Because CenturyLink is not seeking discontinuance
8 authority, URTA’s assertion is not persuasive.

9
10 **Q. SHOULD THE COMMISSION CONSIDER FIXED WIRELESS, BROADBAND**
11 **INTERNET, AND OTHER SIMILAR TECHNOLOGIES AS FUNCTIONAL**
12 **EQUIVALENTS?**

13 A. Yes. As stated above, Utah has adopted by reference the definitions contained in federal
14 regulation 47 C.F.R. § 8.2 in determining what services are eligible for universal service
15 support. Broadband internet access services include both wire and radio service. 47 C.F.R.
16 § 8.2(a). “Fixed broadband Internet access service includes fixed wireless services
17 (including fixed unlicensed wireless services), and fixed satellite services.” 47 C.F.R.
18 § 8.2(d). Mobile broadband Internet access service means a “broadband Internet access
19 service that serves end users primarily using mobile stations.” 47 C.F.R. § 8.2(e).

20
21 **Q. DOES A ONE-TIME DISTRIBUTION FROM THE UTAH UNIVERSAL SERVICE**
22 **FUND OR TARIFF LANGUAGE PREVENT COLR RELIEF?**

23 A. No. To the extent that CenturyLink may be able to apply for a one-time distribution from
24 Utah’s Universal Service Fund, it is unclear what amount that funding would be. It may

1 not cover the entire cost of a new build, and that funding cannot be used to cover the cost
2 of maintaining the infrastructure after the build is completed. More significantly however,
3 the test for COLR relief is not whether there is funding to support the COLR obligation,
4 but whether (1) there is effective competition and (2) the COLR exemption is in the public
5 interest. Utah Code § 54-8b-3(4). While funding has traditionally accompanied COLR
6 obligations and the lack thereof is helpful context, it is not a factor explicitly included in
7 the guiding statute.

8
9 **Q. HOW DO YOU RESPOND TO URTA'S CONCENS REGARDING WHEN A**
10 **CURRENT CUSTOMER MOVES OUT OF THEIR LOCATION?**

11 A. I reiterate my earlier statements that BEAD is the solution to connectivity concerns in 2024
12 rather than additional antiquated COLR obligations.

13
14 **Q. HOW DO YOU RESPOND TO URTA'S CONCERNS REGARDING PRICING?**

15 A. URTA states that StarLink requires \$599.00 installation, however URTA does not account
16 for the cost to consumers that could be required to pay CenturyLink a line-extension fee to
17 receive a new service build out, which would be comparable if not more than StarLink's
18 installation costs depending on excavation conditions. URTA also seems to imply that
19 StarLink's service is the same as basic POTS service offered by CenturyLink. While it is
20 true that both CenturyLink and StarLink can offer functionally equivalent voice service,
21 URTA does not account for the fact that Utah citizens dramatically favor internet access
22 over basic POTS services. The average consumer would receive value added from StarLink
23 internet that is not available with basic POTS services. So while the voice service is
24 functionally equivalent, StarLink also comes with the added bonus of internet access.

1 Notwithstanding that, there are numerous other services available to Utah citizens at
2 comparable prices. In addition, URTA pulled the most expensive satellite provider for their
3 comments. Both HughesNet and Viasat offer less expensive non-recurring and monthly
4 recurring charges than StarLink.

5
6 **Q. HOW DO YOU RESPOND TO URTA’S ASSERTION THAT 26.6 PERCENT USE**
7 **LANDLINE SERVICES FOR SOME PORTION OF THEIR COMMUNICATION**
8 **NEEDS?**

9 A. In arriving at this point, URTA is including the 15.1% of Utah households that reported
10 they are “wireless mostly.” While those users may occasionally use a land line, it is clear
11 their technology preference is wireless. As stated above, mobile wireless is a functional
12 equivalent of wireline services.

13
14 **VI. CONCLUSION**

15 **Q. WHAT IS YOUR CONCLUSION OF THE DATA PRESENTED?**

16 A. My conclusion is that CenturyLink is subject to effective competition in Utah, and
17 exempting CenturyLink from carrier of last resort obligations is in the public interest.

18
19 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

20 A. Yes, it does.
21

Exhibit 1

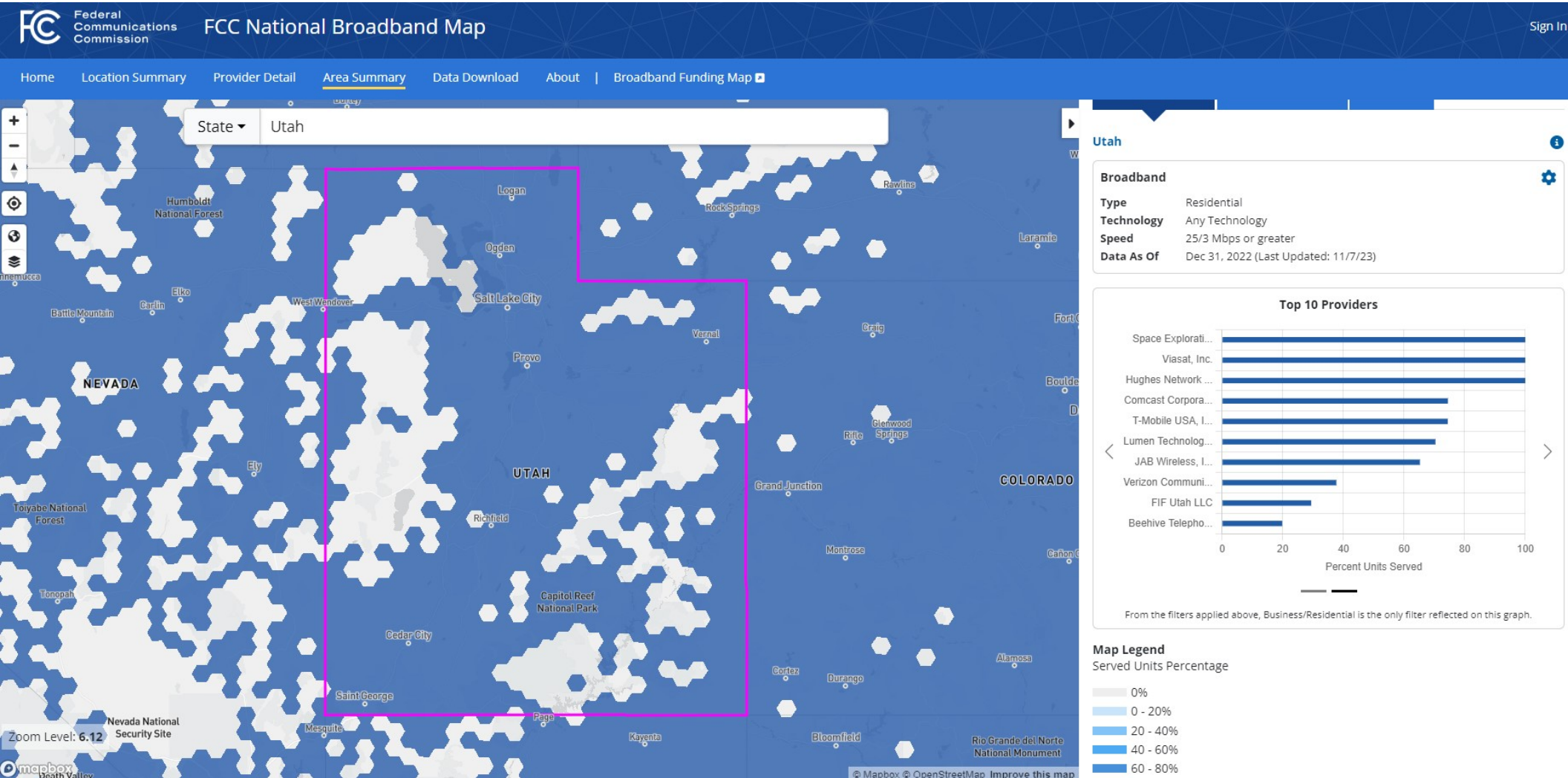



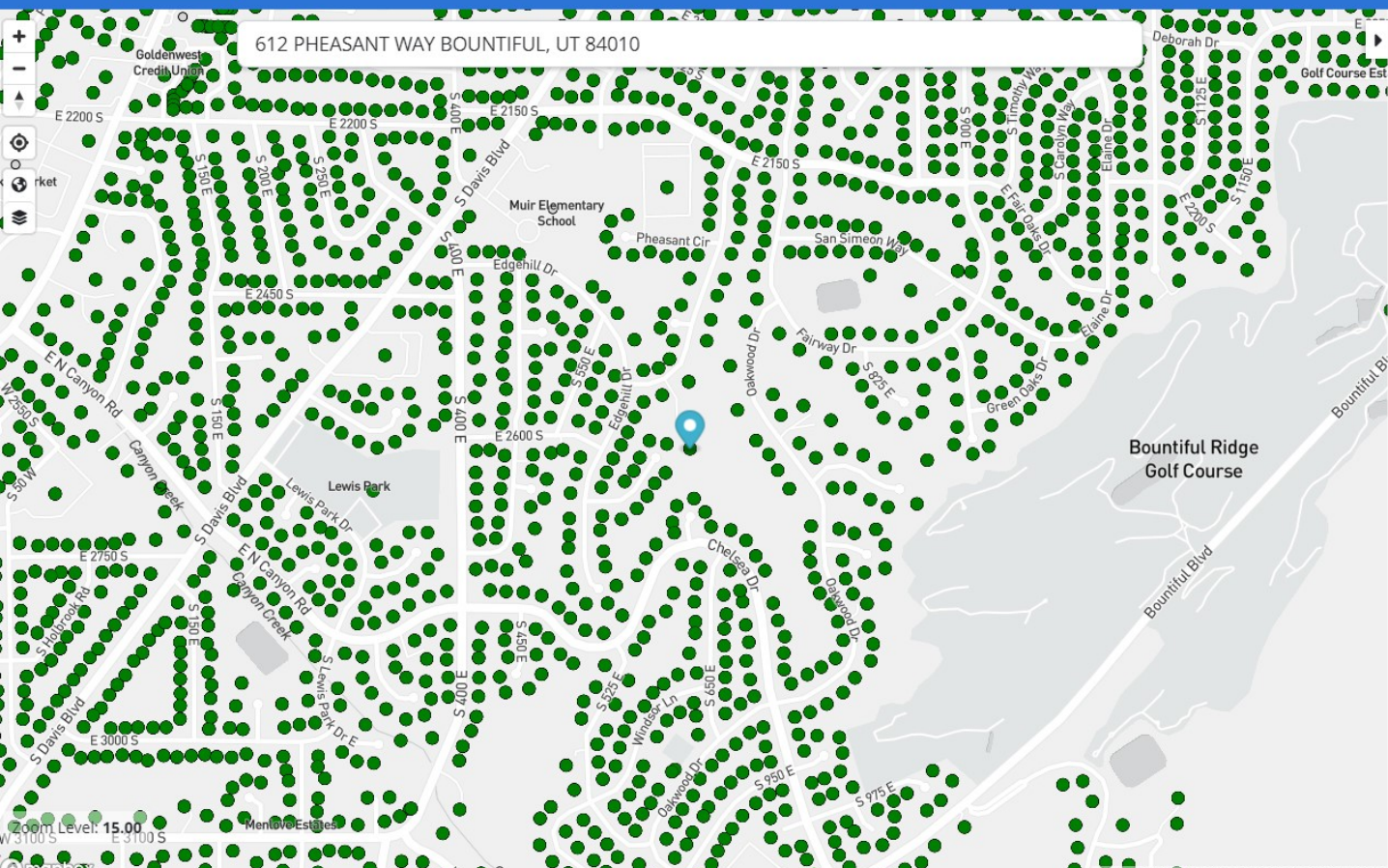
Exhibit 2


Federal Communications Commission

FCC National Broadband Map

[Sign In](#)

Home | Location Summary | Provider Detail | Area Summary | Data Download | About | Broadband Funding Map



Fixed Broadband
Mobile Broadband

Selected Location Location Challenge

**612 PHEASANT WAY
BOUNTIFUL, UT 84010**

Status: Served | Residential | Unit Count: 1

Broadband Settings

Type Residential

Technology Any Technology

Speed 25/3 Mbps or greater

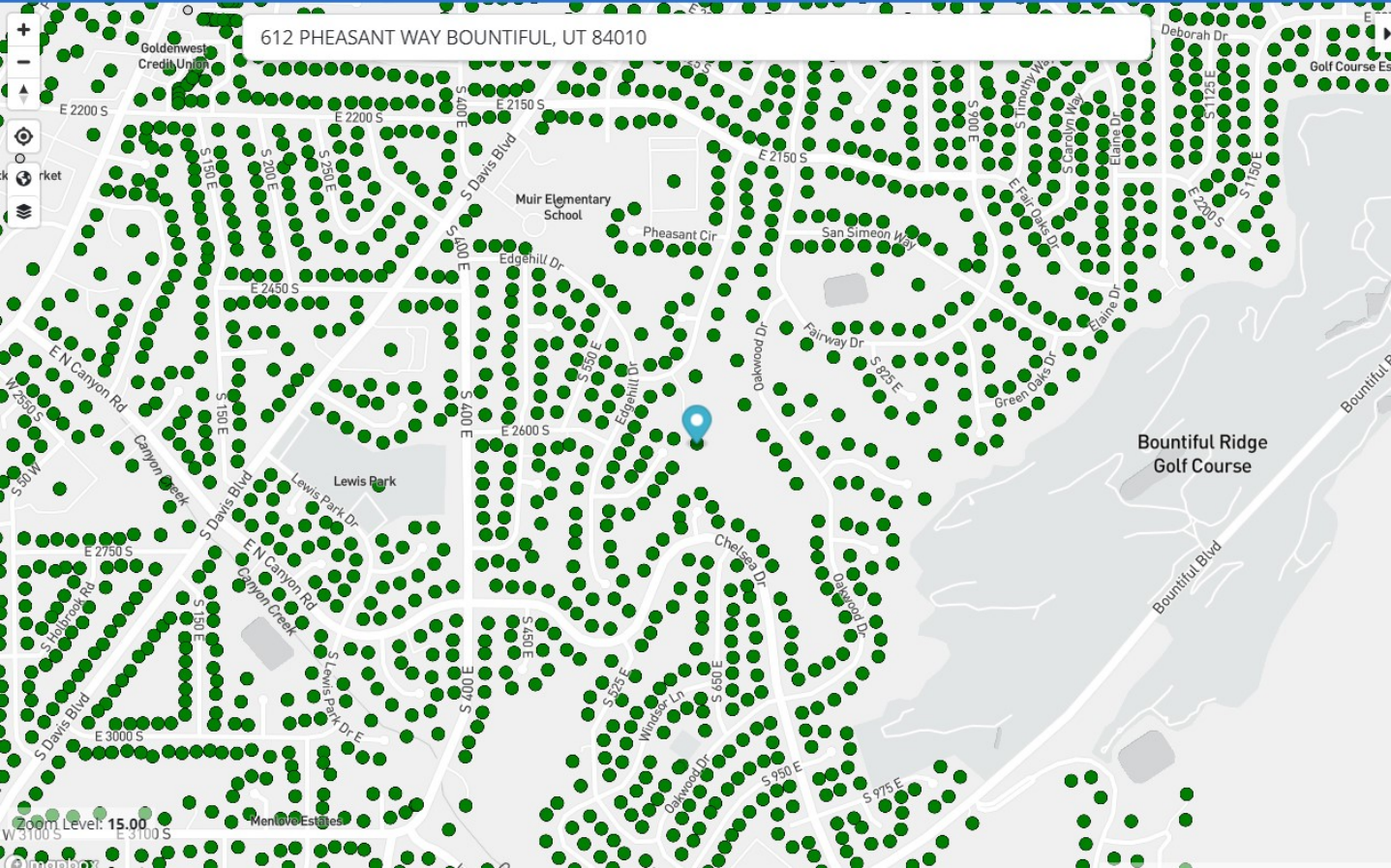
Data As Of Dec 31, 2022 (Last Updated: 11/7/23)

Residential | Business Availability Challenge

Provider	Technology	Down (Mbps)	Up (Mbps)	Chall.
▶ Comcast Corporation	Cable	1200	35	
▶ Hughes Network Systems, LLC	GSO Satellite	25	3	
▶ JAB Wireless, Inc.	Unlicensed Fixed Wireless	25	5	
▶ Lumen Technologies, Inc.	Copper	100	10	
▶ Space Exploration	NGSO Satellite	220	25	

Map Legend

- Coverage available
- Coverage not available
- Not a mass market location



Fixed Broadband | Mobile Broadband

Selected Location ⓘ

612 PHEASANT WAY BOUNTIFUL, UT 84010 Location Challenge

Status: **Served** | Residential | Unit Count: 1

Broadband ⚙️

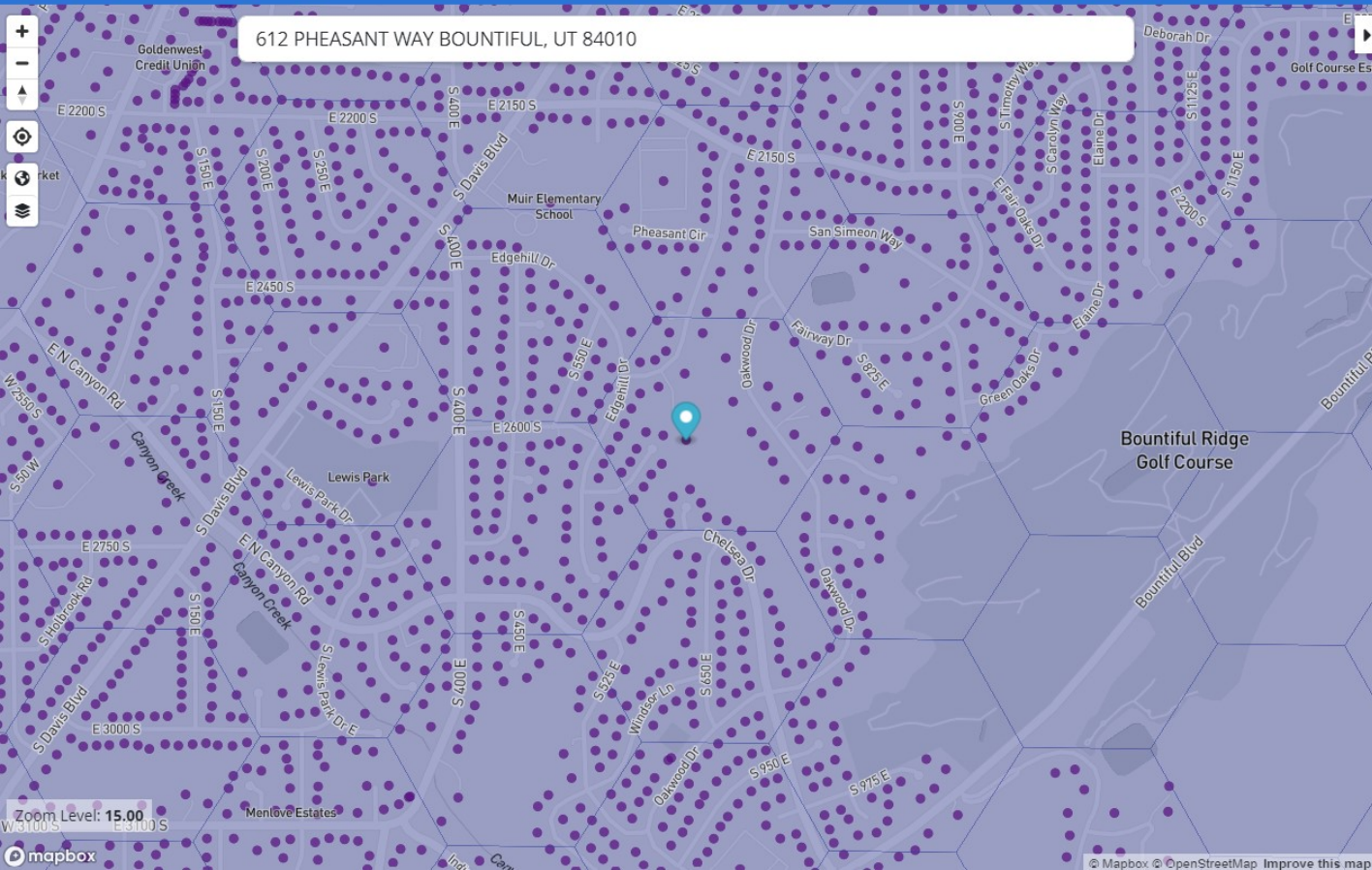
Type Residential
 Technology Any Technology
 Speed 25/3 Mbps or greater
 Data As Of Dec 31, 2022 (Last Updated: 11/7/23)

Residential | Business Availability Challenge

Provider	Technology	Down (Mbps)	Up (Mbps)	Chall.
	Wireless			
▶ Lumen Technologies, Inc.	Copper	100	10	
▶ Space Exploration Technologies Corp.	NGSO Satellite	220	25	
▶ T-Mobile USA, Inc.	Licensed Fixed Wireless	0.2	0.2	
▶ Viasat, Inc.	GSO Satellite	50	3	

Map Legend

- Coverage available
- Coverage not available
- Not a mass market location



612 PHEASANT WAY BOUNTIFUL, UT 84010

Fixed Broadband **Mobile Broadband**

Selected Location

612 PHEASANT WAY
BOUNTIFUL, UT 84010
 Residential | Unit Count: 1

Broadband

Environment Outdoor Stationary
Technology 4G (5/1 Mbps)
Data As Of Dec 31, 2022 (Last Updated: 11/7/23)

Outdoor Stationary | In Vehicle Mobile Mobile Challenge

Provider	3G	4G LTE	5G-NR
▶ AT&T Inc.		✓	✓ 7/1
▶ Dish Network Corporation			✓ 7/1 ✓ 35/3
▶ T-Mobile USA, Inc.		✓	✓ 7/1 ✓ 35/3
▶ Verizon Communications Inc.		✓	✓ 7/1 ✓ 35/3

Map Legend
 Percentage of Area Served

- 0 - 20%
- 20 - 40%
- 40 - 60%
- 60 - 80%
- 80 - 100%
- Address Location