

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE PETITION OF** )  
**QWEST CORPORATION DBA** ) **CASE NO. QWE-T-13-05**  
**CENTURYLINK QC FOR APPROVAL TO** )  
**REPLACE THE PERFORMANCE** ) **NOTICE OF PETITION**  
**ASSURANCE PLAN BASED UPON** )  
**SETTLEMENT AGREEMENT IN** ) **NOTICE OF**  
**COLORADO** ) **MODIFIED PROCEDURE**  
) )  
) **ORDER NO. 32877**

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YOU ARE HEREBY NOTIFIED that on July 31, 2013, Qwest Corporation dba CenturyLink QC (CenturyLink QC) filed a Petition requesting the Commission approve replacement of the Company’s Idaho Quality Performance Assurance Plan (Plan or QPAP) with a revised QPAP. The new Plan results from a settlement agreement between CenturyLink QC and various competitive local exchange carriers (CLECs) that participated in a Plan review before the Colorado Public Utilities Commission.

YOU ARE FURTHER NOTIFIED that under the federal Telecommunications Act of 1996 (1996 Act) CenturyLink is a Bell Operating Company (BOC) as defined in 47 U.S.C. § 153(35) and also operates as an “incumbent local exchange carrier” (ILEC) as defined in section 251(h) of the 1996 Act 47 U.S.C. § 251(h). Pursuant to the 1996 Act, CenturyLink is required to enter into interconnection agreements with other providers of telecommunications services who request access to its network, facilities or services. See 47 U.S.C. §§ 251-252. Petition, p. 2.

YOU ARE FURTHER NOTIFIED that the 1996 Act also provides a means by which BOCs could gain entry into in-region interLATA services markets from which they had been legally precluded, commonly referred to as “the 271 process.” See 47 U.S.C. § 271. The focus of the 271 process was on assuring that the local exchange marketplace was open for wireline competition, that the market would remain open and that nondiscriminatory service quality would be maintained once the BOCs received 271 approval and re-entered the interLATA service markets. Petition, pp. 2-3.

YOU ARE FURTHER NOTIFIED that in seeking FCC approval under Section 271, CenturyLink worked with interested parties to develop performance measures known as Performance Indicator Definitions (PIDs), and put into place a QPAP that applied specific

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standards to the performance data to assure compliance with Section 271 interconnection requirements. The PIDs and the QPAP became exhibits to the interconnection agreements that CenturyLink offers to CLECs (specifically, Exhibits B and K, respectively). Petition, p. 3.

YOU ARE FURTHER NOTIFIED that on May 2, 2008, CenturyLink filed a petition with the Commission seeking to withdraw its Statement of Generally Available Terms (SGAT) and eliminate its QPAP and PIDs. The Commission granted CenturyLink’s request to withdraw its SGAT by Order No. 30750 entered March 17, 2009, but left open CenturyLink’s request to withdraw its Plan. On July 30, 2010, CenturyLink filed an amended petition proposing adoption of a new performance plan (QPAP II) in lieu of withdrawing the existing QPAP. As that docket progressed, the Commission approved some changes agreed to by the parties, but the issue of replacement of the existing QPAP with QPAPII remained undecided. On July 1, 2011, a joint request of CenturyLink and a group of participating CLECs collectively referred to as “Integra” asked that the Commission take no further action in the docket “until at least eighteen months after the Closing Date of the Qwest/CenturyLink merger.” The merger officially closed April 1, 2011. Petition, pp. 3-4.

YOU ARE FURTHER NOTIFIED that CenturyLink filed a similar proceeding before the Colorado Public Utilities Commission (CPUC). The CPUC began a six-year review of the Colorado PAP (CPAP). In the review process, the CPUC gave specific directions regarding some CPAP issues and general directions on other issues, and directed the parties to negotiate a new CPAP that complied with those directions. The parties in the Colorado CPUC case ultimately agreed upon a Settlement Agreement and a redesigned CPAP. An integral provision of that Settlement Agreement was that CenturyLink would petition the other 13 states in which the QPAP operates seeking the adoption of the redesigned QPAP in place of the QPAPs currently in effect in the respective states. Petition, p. 4.

YOU ARE FURTHER NOTIFIED that CenturyLink’s Petition, which offers a redesign of the current Idaho QPAP, is based on the Colorado CPAP review and the redesign that was adopted in that jurisdiction and supported by the CLECs engaged in that docket. Petition, p. 5. CenturyLink provides the redesigned Idaho QPAP and PIDs as Attachments 1 and 2 to its Petition. Attachment 1 consists of the redesigned QPAP which constitutes a new Exhibit K for interconnection agreements; Attachment 2 consists of the new PIDs that constitute Exhibit B for interconnection agreements. Attachment 3 provides a comprehensive description of

changes that the proposed, redesigned QPAP and PIDs would make to the existing Idaho QPAP and PIDs.

YOU ARE FURTHER NOTIFIED that CenturyLink requests that the redesigned QPAP (Attachment 1) and the revised PIDs (Attachment 2) become effective on January 1, 2014. CenturyLink further requests that the Commission deem all existing interconnection agreements that currently contain the QPAP be modified to incorporate these revisions, also effective January 1, 2014, without need for further filings or approvals. Petition, p. 5.

**NOTICE OF MODIFIED PROCEDURE**

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on this Application may file a written comment in support or opposition with the Commission within thirty (30) days from the service date of this Notice, followed by a 14-day period to file reply comments. The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application shall be mailed to the Commission and the Applicant at the addresses reflected below:

Commission Secretary  
Idaho Public Utilities Commission  
PO Box 83720  
Boise, ID 83720-0074

Mary S. Hobson  
999 Main, Suite 1103  
Boise, ID 83702  
E-mail: [mary.hobson@centurylink.com](mailto:mary.hobson@centurylink.com)

Street Address for Express Mail:  
  
472 W. Washington Street  
Boise, ID 83702-5918

Lisa A. Anderl  
Associate General Counsel  
CenturyLink  
1600 7<sup>th</sup> Avenue  
Seattle, WA 98191  
E-mail: [lisa.anderl@centurylink.com](mailto:lisa.anderl@centurylink.com)

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click the "Case Comment or Question Form" under the "Consumers" tab, and complete the comment form using the case number as it appears on the front of this document. These comments must also be sent to CenturyLink at the e-mail addresses listed above.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its Order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

YOU ARE FURTHER NOTIFIED that the Application and exhibits have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices. The Application and exhibits are also available on the Commission's web site at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click on the "File Room" tab at the top of the page, scroll down to "Open Telephone Cases," and then click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 62 of the Idaho Code and specifically *Idaho Code* § 62-615. The Commission may enter any final Order consistent with its authority under Title 62.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

### **ORDER**

IT IS HEREBY ORDERED that this case be processed under Modified Procedure. Interested persons and the parties may file written comments within 30 days of the service date of this Order, and may file reply comments within 14 days thereafter.


DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 14<sup>th</sup>  
day of August 2013.

  
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PAUL KJELLANDER, PRESIDENT

  
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MACK A. REDFORD, COMMISSIONER

  
\_\_\_\_\_  
MARSHA H. SMITH, COMMISSIONER

ATTEST:

  
\_\_\_\_\_  
Jean D. Jewell  
Commission Secretary

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