



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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COMMENTS INVITED ON APPLICATION OF QWEST CORPORATION D/B/A CENTURYLINK QC TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 15-159
Comp. Pol. File No. 1222

Comments Due: August 19, 2015

Section 214 Application

Applicant: Qwest Corporation d/b/a CenturyLink QC

On May 26, 2015, Qwest Corporation d/b/a CenturyLink QC (CenturyLink or Applicant), located at 100 CenturyLink Drive, Monroe, LA 71203, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue a certain domestic telecommunications service in areas outside its local service territory in Oregon where it was previously designated as the default intraLATA toll service provider.¹ On July 31, 2015, CenturyLink filed an amendment to address certain deficiencies in its application and to update the record regarding the notice provided. Accordingly, CenturyLink's application is deemed complete as of July 31, 2015.

CenturyLink indicates that, in a 2003 Order, the Oregon Commission deregulated CenturyLink's intraLATA toll service subject to certain conditions. CenturyLink specifies that the 2003 Order designated CenturyLink as the default provider of certain intraLATA toll services for all Oregon exchanges where a primary toll carrier was not designated. CenturyLink states that Frontier Communications Northwest (Frontier) and United Telephone Company of the Northwest (United) are the only primary toll carriers in Oregon. Accordingly, CenturyLink indicates that it currently offers interstate intraLATA toll service (Affected Service) within the exchanges in Oregon that are not served by Frontier and United (Service Areas).² CenturyLink adds that it relies on the Oregon Rural ILECs to bill customers

¹ See Section 63.71 Application of CenturyLink QC to Discontinue Interstate IntraLATA Toll Service in Certain Areas Outside Its Local Service Territory in Oregon, WC Docket No. 15-159 (filed May 26, 2015), <http://apps.fcc.gov/ecfs/comment/view?id=60001059225>.

² CenturyLink explains that the exchanges of the following Oregon rural incumbent local exchange carriers (LECs) are included: Asotin Telephone Company; Beaver Creek Cooperative Tel. Co.; Canby Telephone Association; Cascade Utilities, Inc.; CenturyTel of Eastern Oregon, Inc.; CenturyTel of Oregon, Inc.; Clear Creek Mutual Telephone Co.; Colton Telephone Company; Citizens Telecommunications Company of Oregon; Eagle Telephone System, Inc.; Gervais Telephone Company; Helix Telephone Company; Home Telephone Company; Humboldt Telephone Company; Molalla Telephone Company; Monitor Cooperative Telephone Company; Monroe Telephone Company; Mt. Angel Telephone Company; Nehalem Telecommunications, Inc.; North-State Telephone Company; Oregon Telephone Corporation; Oregon-Idaho Utilities, Inc.; Peoples Telephone Company; Pine Telephone System, Inc.; Pioneer Telephone Cooperative; Roome Telecommunications, Inc.; Scio Mutual Telephone Association; St.

and remit revenues for the intraLATA toll services that CenturyLink provides in the Service Areas. CenturyLink states, however, that due to changes in the market, the Oregon Commission effectively relieved CenturyLink of its obligation to provide the Affected Service in an April 13, 2015 Order. The Applicant adds that, as a result of rising competition and falling demand for the Affected Service, the per-call costs of the billing and collection services it receives from the Oregon Rural ILECs now exceeds CenturyLink's revenues for the Affected Service in some of the Oregon Rural ILEC exchanges. CenturyLink consequently asserts that it plans to discontinue the Affected Service in the Service Areas on July 31, 2015, or as soon thereafter as the necessary regulatory approvals can be obtained. The Applicant asserts that it is considered to be a non-dominant carrier with respect to the service to be discontinued.

CenturyLink maintains that it does not have a direct relationship with the customers affected by the proposed discontinuance and that it doesn't even know the identity of these customers due to its reliance on the Oregon Rural ILECs for billing and collection. Given these unusual circumstances, CenturyLink indicates that the Oregon Commission required the Oregon Rural ILECs, rather than CenturyLink, to send notice of the proposed discontinuance to all affected customers no later than May 13, 2015. CenturyLink states, for example, that two CenturyLink affiliates among the Rural Oregon ILECs, CenturyTel of Eastern Oregon and CenturyTel of Oregon, tried to notify affected customers of the proposed discontinuance by U.S. Mail on May 13, 2015. According to CenturyLink, CenturyTel of Oregon subsequently tried to send an additional notice to customers by U.S. Mail on May 21, 2015 in order to correct a clerical error regarding the name of the company. The Applicant acknowledges that while the customer notices provided by the Oregon Rural ILECs did inform customers of their opportunity to file paper comments with the Commission by mail, they did not include language now required under the rule to inform customers of their opportunity to electronically file comments through the Commission's Electronic Comment Filing System (ECFS). Accordingly, CenturyLink asserts that it has attempted to supplement the information provided in the original notices sent by the Oregon Rural ILECs. CenturyLink specifies that, by July 30, 2015, it published supplemental notice in several Oregon newspapers of general circulation to inform customers of their opportunity to file comments via ECFS. CenturyLink adds that it also has placed the supplemental notice on its website and has asked other Oregon Rural ILECs to do the same.

In accordance with section 63.71(c) of the Commission's rules, CenturyLink's application will be deemed to be granted automatically on the 31st day after the release date of this public notice, unless the Commission notifies CenturyLink that the grant will not be automatically effective. In its application, CenturyLink indicates that it plans to discontinue the Affected Service in the Service Areas on July 31, 2015, or as soon thereafter as the necessary regulatory approvals can be obtained. Accordingly, pursuant to section 63.71(c) and the terms of CenturyLink's application, absent further Commission action, CenturyLink may discontinue the Affected Service in the Service Areas on or after **September 4, 2015**, in accordance with its filed representations. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

Comments objecting to this application must be filed with the Commission on or before **August 19, 2015**. Such comments should refer to **WC Docket No. 15-159 and Comp. Pol. File No. 1222**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System or by filing paper copies. *See*

Paul Cooperative Tel. Assoc.; Stayton Cooperative Telephone Company; and Trans-Cascade Telephone Company (Oregon Rural ILECs).

Electronic Filing of Documents in Rulemaking Proceedings, 63 FR 24121 (1998). Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number.

Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules.³ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (888) 835-5322 (tty).

³ 47 C.F.R. §§ 1.1200 *et seq.*

For further information, contact Carmell Weathers, (202) 418-2325 (voice), Carmell.Weathers@fcc.gov, or Rodney McDonald, (202) 418-7513 (voice), Rodney.McDonald@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The tty number is (888) 835-5322. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

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