

**FEDERAL COMMUNICATIONS COMMISSION**  
**Enforcement Bureau**  
**Market Disputes Resolution Division**  
**45 L Street NE**  
**Washington, DC 20554**

**Via Email**

June 29, 2021

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**Re:     *CenturyLink Communications, LLC, et al. (Lumen) v. Teliix Colorado, LLC, Proceeding***  
***Number 21-194, Bureau ID No. EB-21-MD-001***

Dear Parties:

This letter ruling grants a joint request filed June 28, 2021 by CenturyLink Communications, LLC, et al. (Lumen) and Teliix Colorado, LLC (Teliix) “to stay all aspects of this case while [they] finalize the terms of a settlement agreement.”<sup>1</sup> We granted a request to extend the filing schedule in this proceeding on June 15, 2021 based on the parties’ representations that they had reached a settlement agreement in principle, but needed additional time to document that agreement.<sup>2</sup> Currently, Teliix’s answer is due today, June 29, 2021, and Lumen’s reply is due July 6, 2021.<sup>3</sup> The parties now request an additional three day extension to negotiate “a few minor provisions of the settlement agreement,” but expect to execute the agreement by July 2, 2021.<sup>4</sup>

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<sup>1</sup> Parties Joint Motion to Extend Schedule filed June 28, 2021 (Joint Motion). To that end, the parties also stipulate and agree that they will not object to a further stay of the statutory deadline under 47 U.S.C. § 208(b)(1) during this limited 3 day period. *Id.* at 2. To be clear, the parties have stipulated and agreed that they will not object to a stay of the statutory deadline under 47 U.S.C. § 208(b)(1) for the entire period subject to both this schedule extension and the prior two week extension granted on June 15, 2021. See Letter from Lisa Saks, Assistant Division Chief, Market Disputes Resolution Division, FCC Enforcement Bureau, to Charles W. Steese, Counsel for Lumen and David Aldworth, Chief Executive Officer for Teliix, dated June 15, 2021 (*June 15<sup>th</sup> Extension Letter*).

<sup>2</sup> *June 15<sup>th</sup> Extension Letter* at 1. See also Parties Joint Motion to Extend Schedule filed June 15, 2021. At that time, Teliix’s answer was set to be filed on June 15, 2021, and Lumen’s reply was set to be filed on June 22, 2021.

<sup>3</sup> *June 15<sup>th</sup> Extension Letter* at 2.

<sup>4</sup> Joint Motion at 1.

At the same time, the parties acknowledge the possibility that they may be “unable to memorialize the terms of the agreement into a written document, and [may] thus still need the Commission to resolve their dispute.”<sup>5</sup> They therefore request that the Commission extend the date for filing the answer and reply to July 2, 2021 and July 9, 2021, respectively.<sup>6</sup>

The Commission has broad discretion to “conduct its [formal complaint] proceedings as will best conduce to the proper dispatch of business and to the ends of justice.”<sup>7</sup> And the Commission always encourages parties to attempt to resolve their disputes informally. Considering that the parties have reached a settlement agreement in principle which they expect will eliminate the need for the expenditure of additional time and resources by the parties and this Commission, we find it in the public interest to grant the joint request to stay all aspects of this case until July 2, 2021. Should the parties be unable to formalize their settlement, Teliix’s answer will be due July 2, 2021, and Lumen’s reply will be due July 9, 2021. We will schedule an initial status conference if necessary at a later date.

This letter ruling is issued pursuant to sections 4(i), 4(j), and 208 of the Communications Act, 47 U.S.C. §§ 154(i), 154(j), 208, and authority delegated in sections 0.111, 0.311, and 1.720-740 of the Commission’s rules, 47 CFR §§ 0.111, 0.311, 1.720-740.

FEDERAL COMMUNICATIONS COMMISSION

*Lisa Saks*

Lisa Saks  
Assistant Division Chief  
Market Disputes Resolution Division  
Enforcement Bureau

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<sup>5</sup> *Id.* at 2.

<sup>6</sup> *Id.*

<sup>7</sup> 47 U.S.C. § 154(j); 47 CFR § 1.735. *See, e.g., Amendment of Procedural Rules Governing Formal Complaint Proceedings Delegated to the Enforcement Bureau*, Report and Order, 33 FCC Rcd 7178 (2018); *Implementation of the Telecommunications Act of 1996, Amendment of Rules Governing Procedures to Be Followed when Formal Complaints Are Filed Against Common Carriers*, Report and Order, 12 FCC Rcd 22497 (1997); *Amendment of Certain of the Commission’s Part 1 Rules of Practice and Procedure Relating to the Filing of Formal Complaints Under Section 208 of the Communications Act and Pole Attachment Complaints Under Section 224 of the Communications Act*, Order, 29 FCC Rcd 14078 (2014).