

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

**Via Email**

July 1, 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 30, 2021 by CenturyLink Communications, LLC, et al. (Lumen) and Teliix Colorado, LLC (Teliix) “to stay all aspects of this case while the Parties complete [the necessary actions] to dismiss this action and [a] parallel Colorado action.”<sup>1</sup> The Joint Motion states that the parties have executed a settlement agreement, but that agreement requires the parties to prepare “motions, stipulations, and notices to cause this action and the parallel Colorado action to be dismissed by July 9, 2021.”<sup>2</sup> It further states that the parties “want to stay all aspects of this case” while they complete these steps.<sup>3</sup>

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<sup>1</sup> Parties Joint Motion to Extend Schedule filed June 30, 2021 at 2 (Joint Motion). The motion was refiled with a corrected docket number on July 1, 2021. We granted a request to extend the schedule in this proceeding on June 29, 2021 based on the parties’ representations that they had reached a settlement agreement in principle, but needed additional time to document that agreement. Letter from Lisa Saks, Assistant Chief, Market Disputes Resolution Division, FCC Enforcement Bureau to Charles W. Steese, et al., Counsel for Lumen, and David Aldworth, Chief Executive Officer, Teliix, dated June 29, 2021 (*June 29<sup>th</sup> Extension Letter*).

<sup>2</sup> Joint Motion at 1.

<sup>3</sup> Joint Motion at 2.

Without a stay, Teliix's answer would be due July 2, 2021, and Lumen's reply would be due July 9 2021.<sup>4</sup> The parties therefore request that the Commission extend the date for filing the answer and reply to July 13, 2021 and July 20, 2021, respectively.<sup>5</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>6</sup> And the Commission always encourages parties to attempt to resolve their disputes informally. Considering that the parties have executed a settlement agreement that 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 13, 2021. Should the parties be unable to complete the actions necessary to dismiss this complaint, Teliix's answer will be due July 13, 2021, and Lumen's reply will be due July 20, 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>4</sup> June 29<sup>th</sup> Extension Letter at 2.

<sup>5</sup> Joint Motion at 2. In addition to the parties' past stipulations and agreements regarding staying the statutory deadline set forth in section 208(b)(1), 47 U.S.C. § 208(b)(1), the parties stipulate and agree that they will not object to the Commission further staying the statutory 5-month deadline during this eleven day period. *Id.*

<sup>6</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).