

**STATEMENT OF
COMMISSIONER JESSICA ROSENWORCEL
APPROVING IN PART, DISSENTING IN PART**

Re: *Applications of Level 3 Communications, Inc. and CenturyLink, Inc. For Consent to Transfer Control of Licenses and Authorizations, WC Docket 16-403.*

With today's order, the Commission approves a \$34 billion merger between CenturyLink and Level 3 Communications. I support this transaction.

However, I believe the Commission's review has a serious flaw. Instead of using the agency's decades-old merger review standard, it arbitrarily introduces a new one. This departure from the traditional merger balancing test should properly be the subject of public notice and comment. Our failure to do so is at odds with the most basic principles of administrative law. Moreover, I worry that our capricious disregard for precedent is simply part of a larger effort to speed the way for the next billion-dollar transaction before us.