

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF QC'S PETITION FOR)	CASE NO. QWE-T-20-02
APPROVAL OF AMENDMENTS TO THE)	
QWEST PERFORMANCE ASSURANCE)	NOTICE OF PETITION
PLAN AND PERFORMANCE INDICATOR)	
DEFINITIONS TO IMPLEMENT THE FCC'S)	NOTICE OF
2019 FORBEARANCE ORDERS)	MODIFIED PROCEDURE
)	
)	ORDER NO. 34694
)	

On February 21, 2020, Qwest Corporation dba CenturyLink QC ("Company") filed a Petition requesting authority to modify the Company's Performance Assurance Plan ("PAP") and Performance Indicator Definitions ("PIDs") with each Idaho competitive local exchange carrier ("CLEC" or "CLECs") by deleting references to products and network elements that the Federal Communications Commission ("FCC") no longer requires.

The Commission now issues this Notice of Petition, Notice of Modified Procedure and Order and sets written comment and reply deadlines for interested parties and the Company.

NOTICE OF PETITION

YOU ARE HEREBY NOTIFIED that the Company states the PAP is a self-effectuating performance assurance plan that is implemented as Exhibit K to the Company's interconnection agreements ("ICAs") with CLECs that opt to include the PAP in their ICAs. *Petition at 2.*

YOU ARE FURTHER NOTIFIED that the Company represents PIDs are implemented as Exhibit B to ICAs and contains the definitions and metrics that support the PAP. *Id.*

YOU ARE FURTHER NOTIFIED that the Company states the PAP has terms, including PIDs, that were established when Qwest sought the FCC's approval to enter the interstate long distance telecommunications market. *Id.* The Company contends the PAP was negotiated to provide additional assurance of continued, appropriate interconnection and network access between Qwest and CLECs. *Id.*

YOU ARE FURTHER NOTIFIED the Commission approved the Idaho PAP in Case No. USW-T-00-03 in 2002 and has amended the Idaho PAP several times since. *Id.* at 2. The

most recent amendment was approved by the Commission on September 26, 2013. *Id.*; *see also* Order No. 32899.

YOU ARE FURTHER NOTIFIED the Company asserts the FCC has eliminated and modified some obligations of regional bell operating companies (“RBOCs”) to provide certain products and network elements. *Id.*; *see also* *Petition of US Telecom et al. for Forbearance*, WC Dot. No. 18-141, Memorandum Opinion and Order, FCC Release 19-72; Released August 2, 2019 (“*UNE Analog Loop and Resale Forbearance Order*”) and the *Report and Order on Remand and Memorandum Opinion and Order*, FCC Release 19-66; Released July 12, 2019 (“*UNE Transport Order*”)(collectively the “*2019 Forbearance Orders*”).

YOU ARE FURTHER NOTIFIED that the Company contends the *2019 Forbearance Orders* eliminated the requirement for RBOCs to continue offering the avoided cost retail discount to resellers and eliminated the requirement for RBOCs to continue offering analog loops. *Id.* However, the Company states the FCC also established a transition period that: 1) allows CLECs to order new UNE analog loops for six months after August 2, 2019 effective date of the *UNE Analog Loop and Resale Forbearance Order*; 2) allows CLECs to keep existing UNE analog loop arrangements for three years; 3) allows CLECs to request new avoided cost resale arrangements until February 2, 2020; and 4) allows existing resale discount arrangements to be maintained until August 2, 2022. *Id.*

YOU ARE FURTHER NOTIFIED that prior to filing the Petition the Company has notified CLECs of the proposed changes. *Id.* at 4. The Company represents Integra, which the Company contends has taken a leadership position among CLECs in past PIDs/PAP negotiations and changes does not object to the amendments. *Id.*

YOU ARE FURTHER NOTIFIED that the Petition and supporting documents are available for public inspection during regular business hours at the Commission’s office. These documents are also available on the Commission's web site at www.puc.idaho.gov. Click on the "File Room" tab at the top of the page, then select "Telecom Cases" and 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 61 of the Idaho Code and specifically *Idaho Code* §§ 61-501, 61-502 and 61-503.

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.*

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 that it will proceed under Modified Procedure pursuant to Rules 201 through 204 of the 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 or party desiring to state a position on this Petition may file a written comment in support or opposition with the Commission by within twenty-one (21) days from the service date of this Notice. 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 Petition shall be sent electronically, unless e-mail is not available, to the Commission and the Petitioner at the e-mail addresses reflected below:

For the Idaho Public Utilities Commission:

Commission Secretary
Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-0074

Street Address for Express Mail:

11331 W. Chinden Blvd.
Building 8, Suite 201-A
Boise, Idaho 83714

For the Company:

Lisa A. Anderl
CenturyLink
1600 7th Avenue, Room 1506
Seattle, Washington 98191
E-Mail: Lisa.anderl@centurylink.com

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. Click the "Case Comment Form" under "Consumers," 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 the Petitioner.

YOU ARE FURTHER NOTIFIED that the Company must file any reply comments within twenty-eight (28) days from the service date of this Notice.

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.

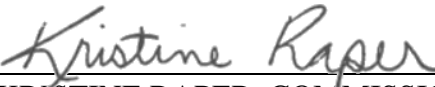
ORDER

IT IS HEREBY ORDERED that that the Petition of the Company be processed by Modified Procedure, Rule 201-204 (IDAPA 31.01.01.201-.204). Persons interested in submitting written comments must do so within twenty-one (21) days from the service date of this Notice. The Company must file any reply comments within twenty-eight (28) days from the service date of this Notice.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 17th day of June 2020.



PAUL KJELLANDER, PRESIDENT



KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Diane M. Hanian
Commission Secretary

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