



0000154373

BEFORE THE ARIZONA CORPORATION COMMISSION

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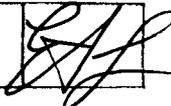
AZ CORP COMMISSION  
DOCKET CONTROL

1  
2 **BOB STUMP**  
Chairman  
3 **GARY PIERCE**  
Commissioner  
4 **BRENDA BURNS**  
Commissioner  
5 **BOB BURNS**  
Commissioner  
6 **SUSAN BITTER SMITH**  
Commissioner

Arizona Corporation Commission

DOCKETED

JUN 27 2014

DOCKETED BY 

ORIGINAL

8 **IN THE MATTER OF THE APPLICATION OF**  
9 **DIECA COMMUNICATIONS DBA COVAD**  
10 **COMMUNICATIONS COMPANY,**  
11 **ESCHELON TELECOM OF ARIZONA, INC.,**  
12 **MCLEODUSA TELECOMMUNICATIONS**  
13 **SERVICES, INC., MOUNTAIN**  
14 **TELECOMMUNICATIONS, INC., XO**  
15 **COMMUNICATIONS SERVICES, INC. AND**  
16 **QWEST CORPORATION REQUEST FOR**  
17 **COMMISSION PROCESS TO ADDRESS KEY**  
18 **UNE ISSUES ARISING FROM TRIENNIAL**  
19 **REVIEW REMAND ORDER, INCLUDING**  
20 **APPROVAL OF QWEST WIRE CENTER**  
21 **LISTS**

DOCKET NOS. T-03632A-06-0091  
T-03406A-06-0091  
T-03267A-06-0091  
T-03432A-06-0091  
T-04302A-06-0091  
T-01051B-06-0091

QWEST CORPORATION dba  
CENTURYLINK QC APPLICATION  
FOR APPROVAL OF 2014  
ADDITIONS TO NON-IMPAIRED  
WIRE CENTER LIST

Qwest Corporation dba CenturyLink QC ("CenturyLink") hereby requests that the Arizona Corporation Commission ("Commission") approve CenturyLink's 2014 additions to its non-impaired wire center list in accordance with the FCC's *Triennial Review Remand Order* ("TRRO").<sup>1</sup>

**INTRODUCTION**

This application to approve additions to CenturyLink's list of non-impaired wire centers is simply one more of a series of filings made to designate certain of CenturyLink's Arizona wire centers as "non-

<sup>1</sup> Order on Remand, *In the Matter of Review of Unbundled Access to Network Elements, Review of Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, CC Docket No. 01-338, WC Docket No. 04-313 (FCC rel. February 4, 2005) (hereafter "*Triennial Review Remand Order*" or "*TRRO*").

1 impaired” for purposes of Section 252 of the Telecom Act, under the FCC’s *TRRO* ruling in 2005. The  
2 Commission has approved all of CenturyLink’s previous applications.

3 CenturyLink is an incumbent local exchange carrier (“ILEC”). The *TRRO* provided an important  
4 standard that all state jurisdictions must follow with regard to ILECs’ duty under Section 251(c)(3) to make  
5 unbundled network elements (“UNEs” or “network elements”) available to requesting carriers. Section  
6 251(d)(2)(B) provides that in determining which network elements must be made available under Section  
7 251(c)(3), the FCC shall consider whether the failure to provide access to such network element would  
8 “impair” the ability of the telecommunications carrier seeking access to provide the services it seeks to  
9 offer. Among other things, the *TRRO* set the standards by which high-capacity dedicated transport and  
10 loops must be offered as UNEs. Under the *TRRO*, high-capacity dedicated transport will not be required to  
11 be offered as UNEs if the connecting wire centers meet certain threshold criteria. Those criteria involve the  
12 number of ILEC business lines and fiber-based collocators in those connected wire centers. The *TRRO*  
13 adopts different business line and collocator thresholds for DS1, DS3, and dark fiber transport. Similarly,  
14 high-capacity loops will not be required to be offered as UNEs if the number of ILEC business lines and  
15 fiber-based collocators reach certain identified levels. The *TRRO* adopts different business line and  
16 collocator thresholds for DS1 and DS3 loops, and eliminates unbundling requirements for dark fiber loops  
17 entirely.<sup>2</sup>

18 A wire center is the location of the ILEC local switching facility containing one or more central  
19 offices, and defines the area in which all customers serviced by a given wire center are located. When wire  
20 centers are designated as unimpaired for certain services, Competitive Local Exchange Carriers (“CLECs”)  
21 are no longer able to access those services at Total Element Long Run Incremental Cost (“TELRIC”) rates,  
22  
23

---

24 <sup>2</sup> For a Commission recap of the *TRRO* standards, see Decision No. 70747, ¶ 10.  
25

1 and CLECs must transition to facilities of their own, to alternative services from another provider, or from  
2 the ILEC at non-UNE rates.<sup>3</sup>

3 The data for determining whether wire centers meet the non-impaired standard are collected every  
4 year, and under the process that has been established, CenturyLink may only declare and seek approval of  
5 additions to the list of non-impaired wire centers based on the business line count prior to June 1<sup>st</sup> of any  
6 given year. Requests based on the number of fiber collocators may be made at any time. The Commission  
7 has approved the process which CenturyLink follows, by specific order (the “*TRRO* Wire Center Settlement  
8 Order”), based on a settlement agreement (“Settlement Agreement”) with a coalition of CLECs (“Joint  
9 CLECs”) who were parties in this standing docket.<sup>4</sup>

10 Requests for approval of additions to the non-impaired wire center list, and the process for such  
11 requests, are familiar to the Commission. This is the sixth time since the FCC adopted the *TRRO* that  
12 conditions have been met for adding wire centers to the list in Arizona. The Commission has approved all  
13 of the previous requests for additions.<sup>5</sup> In the previous orders, the Commission ordered that procedures  
14 established therein shall apply to subsequent requests for additions to the non-impaired wire center list.  
15 This Application is made in conformance with those procedures.

16 **REQUEST FOR 2014 ADDITIONS TO NON-IMPAIRED WIRE CENTER LIST**

17 By this filing, CenturyLink is seeking to add to the list of “Tier 1” wire centers, which are wire  
18 centers with 4 or more fiber based collocators or at least 38,000 or more business lines. Under the *TRRO*,  
19 there is no impairment for DS1 transport on routes connecting wire centers where both wire centers are

21 <sup>3</sup> Description by the Commission, Decision No. 70747, ¶ 11.

22 <sup>4</sup> The basic process for Qwest to seek approval of additions to the non-impaired wire center list was determined by  
23 the Commission in Docket Nos. T-03632A-06-0091, T-03406A-06-0091, T-03267A-06-0091, T-03432A-06-0091, T-04302A-  
24 06-0091, T-01051B-06-0091 (collectively, the “*TRRO* Wire Center Dockets”) on May 16, 2008, Decision No. 70355 (“*TRRO*  
25 Settlement Order.”) The basis for the process was a joint settlement agreement (“Settlement Agreement”) between and  
among Qwest and a coalition of joint CLECs, whose names are listed in the caption of this proceeding.

<sup>5</sup> Decision Nos. 70355, 70747, 72178, and 74245.

1 designated as “Tier 1.” With this application, CenturyLink designates the wire center shown below as Tier

2 1. This wire center is currently designated as Tier 2.

STATE	WIRE CENTER	CLLI	TIER	NON-IMPAIRMENT FOR
AZ	Scottsdale	SCDLAZMA	Tier 1	DS1, DS3 Transport & DF

5 This request for the Commission to declare this wire center as a Tier 1 wire center is based solely on  
6 the number of fiber-based collocations. Under the Settlement Agreement with the Joint CLECs, such a  
7 request may be made to the Commission at any time.

8  
9 **NOTICE ABOUT THIS APPLICATION TO POTENTIALLY AFFECTED CARRIERS**

10 In Decision No. 72178 the Commission ordered changes to the process for notifying CLECs about  
11 subsequent applications to add wire centers to the Non-Impaired Wire Centers List. CenturyLink has  
12 followed those provisions. Pursuant to Decision No. 72178, CenturyLink and Staff have worked together  
13 to develop a mailing list of affected Arizona carriers, as well as the form of notice to be sent. The form of  
14 notice (“Notice”), approved by the Staff, is provided as Attachment A to the Certificate of Mailing, which is  
15 marked as Exhibit A. The list of potentially affected carriers in Arizona, including but not limited to the  
16 Joint CLECs named in the caption of the proceeding, (“Notice List”), has been approved by the Staff, and is  
17 provided as Attachment B to Exhibit A. Consistent with the Settlement Agreement, CenturyLink must send  
18 the Notice to potentially affected carriers via its email notification channels, at least 5 business days prior to  
19 the filing of the Application. CenturyLink sent the Notice on June 20, 2014. Certification of that mailing is  
20 attached, marked as Exhibit A.

21  
22 **REGARDING INFORMATION IN SUPPORT OF CENTURYLINK’S APPLICATION,  
SUBJECT TO STANDING PROTECTIVE ORDER**

23 CenturyLink has based its new non-impairment determination upon information that is required to  
24 be examined by the Arizona Commission, given the parameters of the *TRRO* and the Settlement Agreement

1 with Joint CLECs. The data involves, in part, certain highly-confidential CLEC-specific wire center data  
2 for fiber-based collocators in specific wire centers. Non-confidential (redacted) versions of the supporting  
3 data are submitted with this Application. Attached and marked as Exhibit B, is the non-confidential  
4 affidavit and associated attachments of Renee Albersheim. Ms. Albersheim's affidavit describes and  
5 presents evidence in support of the inventory of fiber-based collocators in CenturyLink wire centers used to  
6 ascertain the appropriate Tier designation and subsequent non-impairment designation.

7 Confidential versions of the Affidavit and attachments will be made available to the Commission  
8 Staff and those wireline CLECs in Arizona that have executed the Protective Order that is attached as  
9 Exhibit C.

10 In the previous phase of these dockets, CenturyLink, the Joint CLECs and the Commission Staff  
11 agreed to utilize this form of Protective Order, in order to protect the information from unauthorized use or  
12 disclosure, and to provide the process for handling such information in connection with these dockets. With  
13 respect to that agreed-upon form of order, the Commission found: "Its terms are reasonable, and will be  
14 adopted to apply to the 2007 and 2008 Additions Applications as well as any future proceedings, until  
15 further order of the Commission."<sup>6</sup>

16 CenturyLink will make the confidential version of the data supporting its list of additional non-  
17 impaired wire centers available to CLECs who sign and file acknowledgements of the Protective Order in  
18 the docket. By the terms of the Settlement Agreement approved by the Commission, CLECs that have  
19 signed the protective order are not required to re-sign it for each new CenturyLink request. However,  
20 CenturyLink suggests that each CLEC relying on an earlier signature inform CenturyLink that it is doing  
21 so, and confirm that the personnel and addresses have not changed.

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24 <sup>6</sup> Docket No. T-03632A-06-0091 et al., Procedural Order, August 25, 2008, Page 4, lines 12-14.

1 **CENTURYLINK'S PROPOSED ADDITION TO THE NON-IMPAIRED WIRE CENTER LIST**  
2 **MEET THE CRITERIA OF THE TRRO, THE SETTLEMENT AGREEMENT, AND DECISIONS**  
3 **OF THE COMMISSION, AND THUS CENTURYLINK'S APPLICATION SHOULD BE**  
4 **APPROVED**

5 CenturyLink states that it makes this Application in conformity with the provisions of the TRRO,  
6 the Settlement Agreement, and Decision Nos. 70355, 70747, 72178 and 74245. Specifically, and without  
7 limitation, CenturyLink may request addition of non-impaired wire centers at any time based solely on the  
8 number of fiber-based collocators. This Application is based solely on the number of fiber-based  
9 collocators, and not based upon line counts.

10 CenturyLink has used the methodology set forth in Section VI of the Settlement Agreement and has  
11 used the most recent data available at the time it submits this proposed designation for Commission review.  
12 CenturyLink's supporting data relating to fiber-based collocators meets all of the requirements of the  
13 Settlement Agreement, Section VI. E. 1. a through f.

14 **PERIOD FOR OBJECTION AND PROCESS, AFTER NOTICE**

15 Under Decision No. 70355, if objections are not filed by Staff, affected carriers or intervenors, or  
16 substantive issues are not raised, the Staff may prepare an Order for the Commission's consideration, or  
17 forward the matter to the hearing Division for the preparation of an Order, upon Staff's Report and  
18 recommendations. This is entirely consistent with the Settlement Agreement, which contemplates that  
19 CLECs shall have thirty (30) days from the filing date of the petition<sup>7</sup> to object to the wire center  
20 designations, and that in the absence of objections, the filing should be approved.

21  
22  
23  
24 

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<sup>7</sup> See Decision No. 70355, Exhibit A, Page 11, Section F.1.

1 **CONCLUSION**

2 Accordingly, for the reasons set forth above, CenturyLink requests that the Commission approve the  
3 2014 additions to the non-impaired wire center list.

4 RESPECTFULLY SUBMITTED this 27<sup>th</sup> day of June, 2014.

5 QWEST CORPORATION d/b/a CenturyLink

6 

7 Norman G. Curtright  
8 (Arizona Bar No. 022848)  
9 20 E. Thomas Rd., 1st Floor  
10 Phoenix, Arizona 85012  
11 Tel: (602) 630-2187  
12 Fax: (303) 383-8484  
13 Email: [norm.curtright@centurylink.com](mailto:norm.curtright@centurylink.com)

11 ORIGINAL and 13 copies hand-delivered  
12 for filing this 27<sup>th</sup> day of June, 2014, to:

13 Docket Control  
14 ARIZONA CORPORATION COMMISSION  
15 1200 West Washington Street  
16 Phoenix, AZ 85007

17 COPY of the foregoing hand delivered  
18 this 27<sup>th</sup> day of June, 2014, to:

19 Jane Rodda  
20 Administrative Law Judge  
21 Arizona Corporation Commission  
22 1200 West Washington Street  
23 Phoenix, AZ 95012

24 Maureen A. Scott, Esq.  
25 Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 W. Washington Street  
Phoenix, AZ 85007

26 Steve Olea, Director  
27 Utilities Division  
28 Arizona Corporation Commission  
29 1200 West Washington Street  
30 Phoenix, AZ 85007

1 COPY of the foregoing mailed  
this 27<sup>th</sup> day of June, 2014, to

2

3 360networks (USA) Inc.  
Attn: Michel Singer Nelson  
4 Associate General Counsel  
867 Coal Creek Circle, Suite 160  
5 Louisville, CO 80027

AT&T Communications of the Mountain States  
Inc.  
Attn: Cindy Hardy  
One AT&T Way, Rm 2B115E  
Bedminster, NJ 07921

6 Cox Arizona Telcom, L.L.C.  
Attn: Mark Dinunzio  
7 1500 W Deer Valley Rd.  
Phoenix AZ 85027

Ms Kim Isaacs  
Director Carrier Relations  
Integra Telecom  
6160 Golden Hills Dr.  
Golden Valley, MN 55416

9 McLeod USA Telecommunications Services,  
LLC  
10 Attn: Stephanie D. Marsh  
4001 Rodney Parham Road  
11 Little Rock, AR 72212

Katherine Mudge  
Director, Regulatory Affairs & Litigation  
MegaPath Corporation  
1835-B Kramer LN., Ste.100  
Austin, Texas 78758

12 Mike Hazel  
Mountain Telecommunications  
13 1430 West Broadway, Suite 206  
Tempe, AZ 85282

MCImetro Access Transmission  
Services, LLC  
201 Spear St, 9th Flr  
San Francisco, CA 94105

14 Orbitcom, Inc.  
15 1701 N. Louise Ave.  
Sioux Falls, SD 57107

Michael W. Patten  
Roshka DeWulf & Patten, PLC  
One Arizona Center  
400 East Van Buren Street, Suite 800  
Phoenix, AZ 85004

17 Ms Rochelle Jones  
18 tw telecom  
Senior Vice President, Regulatory  
19 10475 Park Meadows Drive  
Littleton, CO 80124

WilTel Communications, LLC  
712 N. Main St.  
Coudersport, PA 16915

20 Rex Knowles  
21 XO Communications  
8851 Sandy Parkway  
22 Sandy, UT 84070

Zayo Group, LLC  
Attn: Tim Gentry  
400 Centennial Parkway  
Louisville, CO 80027

23

24

*Reed Peterson*

25

**BEFORE THE ARIZONA CORPORATION COMMISSION**

<b>In the matter of the application of DIECA Communications dba Covad Communications Company, Eschelon Telecom of Arizona, Inc., McLeodUSA Telecommunications Services, Inc., Mountain Telecommunications, Inc., XO Communications Services, Inc. and Qwest Corporation request for Commission Process to Address Key UNE Issues Arising from Triennial Review Remand Order, including Approval of Qwest Wire Center Lists.</b>	<b>DOCKET NOS. T-03632A-06-0091 T-03406A-06-0091 T-03267A-06-0091 T-03432A-06-0091 T-04302A-06-0091 T-01051B-06-0091</b>
---	--

**AFFIDAVIT OF HEIDI HIGER**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF DENVER            )

I, HEIDI HEIGER, being first duly sworn, depose and state that:

1. My name is Heidi Higer. I am employed by CenturyLink as a Lead Marketing Manager for the Wholesale Product and Marketing Organization. My business address is 930 15<sup>th</sup> Street, 7<sup>th</sup> Floor, Denver Colorado, 80202.
2. I have direct knowledge and responsibility for the notice provided to telecommunications carriers in Arizona, which is referenced below.
3. On June 20, 2014, CenturyLink sent telecommunications carriers in Arizona a Notice of Additions to Non-Impaired Wire Center Lists pursuant to the provisions of Decision No 72178 in Docket No. T-03632A-06-0091. This notice was sent via email to carriers for whom email addresses were available and via standard U S Mail for all other carriers

3. A copy of said carrier notice is provided as Attachment A.
4. A list a carriers to whom the notice and was sent is provided as Attachment B.

Further this affiant sayeth not.

DATE: June 26, 2014

  
HEIDI HIGER

SUBSCRIBED AND SWORN to before me the 26<sup>th</sup> day of June, 2014.

  
NOTARY PUBLIC

My Commission Expires:

11/29/15



June 20, 2014

Contact Name  
Carrier Name  
Address

City, State ZIP  
email address

TO:Contact Name

<b>Announcement Date:</b>	<b>June 20, 2014</b>
<b>Filing Date:</b>	<b>June 27, 2014</b>
<b>Document Number:</b>	<b>NETW.ANNC.06.20.14.F.12485.Non-Impaired_Wire_List</b>
<b>Notification Category:</b>	<b>Contract/Network Notice</b>
<b>Target Audience:</b>	<b>CLECs operating in the state of AZ</b>
<b>Subject:</b>	<b>Additions to Non-Impaired Wire Center Lists</b>

On June 27 2014 CenturyLink will file with the Arizona Corporation Commission for approval of additions to CenturyLink's Non-Impaired Wire Center List..

CenturyLink's Petition will be filed in standing Arizona Corporation Commission Docket Number T-03632A-06-0091. Affected carriers may obtain further information regarding the proposed non-impaired wire center designations by contacting their Service Manager. Confidential Information supporting the Arizona designations is available under an existing protective order issued in Decision No. 70355. Affected carriers must review the information and file any objections to the proposed designations on or before August 1, 2014 in Docket Number T-03632A-06-0091.

CenturyLink offers this Notice pursuant to the terms and conditions of the Multi-State Settlement Agreement Regarding Wire Center Designations and Related Issues entered into by CenturyLink Corporation and Covad Communications Company and DIECA Communications, Inc. (collectively "Covad"), Eschelon Telecom, Inc. ("Eschelon"), Integra Telecom Holdings, Inc. ("Integra"), McLeodUSA Telecommunications Services, Inc. ("McLeodUSA"), Onvoy, POPP.Com ("POPP"), US Link, Inc. d/b/a TDS Metrocom, Inc. ("TDSM"), and XO Communications Services, Inc. ("XO") on June 20, 2007.

At this time, CenturyLink anticipates requesting the addition of the following Wire Centers to its Non-Impaired Wire Center Lists as having met the Tier 1 or Tier 2 Wire Center designations as defined in §51.319(e)(3):

--	--	--	--	--

STATE	WIRE CENTER	CLLI8	TIER	NO IMPAIRMENT FOR
AZ	Scottsdale Main	SCDLAZMA	Tier 1	DS1, DS3 Transport & DF

If you have any questions or concerns regarding this notice please contact your CenturyLink Service Manager, Michael Samuels on (312) 546-4377 or at Michael.Samuels@CenturyLink.com. CenturyLink appreciates your business and we look forward to our continued relationship.

Sincerely,

CenturyLink Communications, LLC.

Note: To view your CenturyLink Wholesale notifications online, please log into our ANR (Accessible Notices Repository) at : <http://notices.centurylinkapps.com>.

If you would like to subscribe, unsubscribe or change your current profile to CenturyLink Wholesale mailouts please go to the 'Subscribe/Unsubscribe' web site and follow the subscription instructions. The site is located at:  
<http://www.centurylink.com/wholesale/notices/cnla/maillist.html>

cc: Michael Samuels  
Danny Dixon OR Jeff Milligan  
Pam Jenkins

## Attachment B

### Carrier

1 -800-Reconex, Inc.  
AboveNet Communications, Inc.  
ACN Communication Services, Inc.  
Access Point, Inc.  
Airespring, Inc.  
Andiamo Telecom, LLC  
Arizona Dial Tone, Inc.  
AT&T Communications of the Mountain States Inc.  
AZX Connect, LLC  
Bandwidth.com CLEC, LLC  
BLC Management, LLC  
BridgeBand Communications, Inc.  
Broadband Dynamics, LLC  
Budget PrePay, Inc.  
BullsEye Telecom, Inc.  
Cbeyond Communications, LLC  
CCG Communications, LLC  
CI2, Inc.  
CityNet Arizona, LLC  
Clertech.com, Incorporated  
CloseCall America, Inc.  
Comnet (USA) LLC  
Comcast Phone of Arizona, LLC  
Continental F.S. Communications  
Cox Arizona Telcom, L.L.C.  
Curatel, LLC  
Cypress Communications  
dPI Teleconnect, LLC  
DIECA Communications, Inc  
DSLnet Communications, LLC  
EMC Telecom Corporation  
Earthlink  
Easton Telecom Services, LLC  
Electric Lightwave, LLC  
EnTelegent Solutions, Inc.  
Ernest Communications, Inc.  
Eschelon Telecom of Arizona  
First Communications, LLC  
Frontier Communications of America, Inc.  
Frontier Communications of the White Mountains, Inc.  
Gila Local Exchange Carrier  
Global Connection Inc. of America  
Global Crossing Local Services, Inc.

## Attachment B

### Carrier

Globcom, Inc.  
Globetel, Inc.  
Granite Telecommunications, LLC  
Greenfly Networks, Inc.  
HJN Telecom, Inc.  
IDT America, Corp.  
iNetworks Group, Inc.  
Integra Telecom, Inc  
Intellicall Operator Services, Inc.  
KMC Data, LLC  
Level 3 Communications, LLC  
Lightyear Network Solutions, LLC  
Looking Glass Networks  
Matrix Telecom, Inc.  
MCImetro Access Transmission Services, LLC  
McLeodUSA Telecommunications Services, Inc.  
MERCURY VOICE & DATA COMPANY  
Metropolitan Telecommunications of Arizona, Inc.  
Mitel Netsolutions, Inc.  
Mountain Telecommunications of Arizona, Inc.  
National Brands, Inc. dba Sharenet Communications  
Navigator Telecommunications, LLC.  
Neutral Tandem-Arizona, LLC  
New Access Communications, LLC  
New Rochelle Telephone Corporation  
NextG Networks of California  
North County Communications Corporation of Arizona  
NOS Communications, Inc  
NSW Telecom, Inc.  
Orbitcom, Inc.  
PNG Telecommunications  
Pac-West Telecomm, Inc.  
Pacific Centrex Services, Inc.  
Pacific Telecom Communications Group, Inc.  
Payroll Advance, Inc.  
Peerless Network of Arizona, LLC  
PiperTel  
POPP Communications, Inc.  
Preferred Long Distance, Inc.  
Prime Time Ventures, LLC  
QuantumShift Communications, Inc.  
Qwest Communications Corporation  
Regal Diversified, Inc  
Rural Network Services, Inc.

## **Attachment B**

### **Carrier**

SBC Long Distance, LLC  
SanTrac Technologies Inc  
Sprint Communications Company L.P.  
Talk America Inc.  
TCG Phoenix  
tw telecom of Arizona llc  
TelLogic  
Telscape Communications, Inc.  
TNCI  
Time Warner Cable Information  
TRANSTELCO, INC  
Valley Connections, LLC  
ValuTel Communications, Inc.  
Verizon Select Services, Inc.  
Vilaire Communications Inc.  
Virtual Network Solutions, Inc.  
Wholesale Carrier Service, Inc.  
Witel Local Network, LLC  
WiTel Communications, LLC  
XO Communications Services, Inc.  
Xspedius Management Co. Switched Services, LLC  
Ygnition Networks, Inc.  
Ymax Communications Corp.  
ZAYO BANDWIDTH, LLC



subsequently used to establish Non-Impairment. Highly-Confidential Attachment A to this affidavit, "Collocations by Wire Center", details the Tier designation by wire center and details the number and identity of the fiber-based collocators in each wire center.

4. As part of that inventory, and as required under the terms of the Settlement Agreement, I oversaw a physical field verification of the inventoried fiber-based collocators, and cross-referenced the physical inventory data with the corresponding order and construction records and billing data. The results of that physical field verification (The Collocation Verification Worksheets) are contained in Highly Confidential Attachment B to this affidavit.
5. Additionally, I supervised research of the billing records for the collocation space and the active power supply to each collocation to ensure that each collocation was indeed an active fiber-based collocation and that the operators of these fiber-based collocations met the FCC's definition of a Fiber-Based Collocator.
6. CenturyLink sent each of the identified Fiber-Based Collocators a letter requesting further validation of their status as a Fiber-Based Collocator. Based on their responses, and if necessary, I oversaw the reconciliation of any discrepancies as to the physical aspects of the collocation (as noted on the physical verification worksheets) or in information with respect to changes in ownership, mergers and/or acquisitions (See Highly-Confidential Attachment C for a copy of the letters, and Highly Confidential Attachment D the responses received from responding CLECs)
7. CenturyLink undertook a thorough analysis to ensure that the number of Fiber-Based Collocators in CenturyLink Wire Centers was accurately counted. Its process for identifying fiber-based collocators meeting the FCC's definition produced an accurate and verified count. The resulting determination of a change in the non-impairment status of Arizona Wire Centers, having relied on

this accurate and verified data, is by extension just as accurate and should be validated by this Commission.

8. This accurate and verified data on the number of Fiber-Based Collocators was the sole determining factor in establishing which additional Arizona wire centers were Non-Impaired. The numbers of Business Lines in each Wire Center based on the most recently filed ARMIS 43-08 data, and having no impact on the non-impairment status of any Arizona wire centers at this time, were not considered for this filing.

Further this affiant sayeth not.

DATE: June 20th, 2014

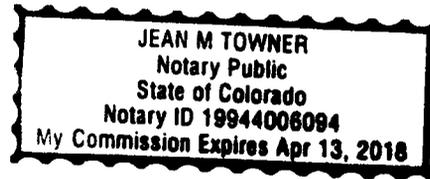
*Renée Albersheim*  
RENEE ALBERSHEIM

SUBSCRIBED AND SWORN to before me the 18<sup>th</sup> day of June, 2014.

*Jean M Towner*  
NOTARY PUBLIC

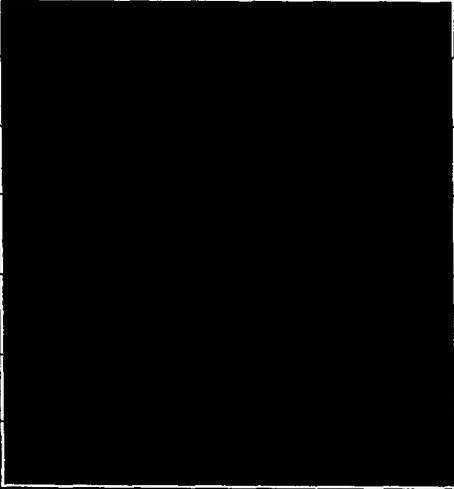
My Commission Expires:

4-13-2018



# Highly Confidential Attachment A

## Arizona Collocators by Wire Center

State	WC CLLI	Co Name	CLEC Name	Tier
Arizona	SCDLAZMAHG1	Scottsdale		
Arizona	SCDLAZMAHG8	Scottsdale		
Arizona	SCDLAZMAHG2	Scottsdale		
Arizona	SCDLAZMAHG6	Scottsdale		
Arizona	SCDLAZMAHG3	Scottsdale		
Arizona	SCDLAZMAHG6	Scottsdale		
Arizona	SCDLAZMAHG8	Scottsdale		
		Scottsdale		





May 23, 2014

[REDACTED]

[REDACTED]

[REDACTED]

CenturyLink will be filing with state regulatory commissions requesting that certain wire centers located in those states be deemed non-impaired. This filing is being made because the wire centers meet the threshold criteria for non-impairment outlined in the Federal Communication Commission's ("FCC") Triennial Review Remand Order, FCC-04-290 ("TRRO").

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CenturyLink Inc. – 930 15th Street 7th Floor, Denver CO 80202



May 23, 2014

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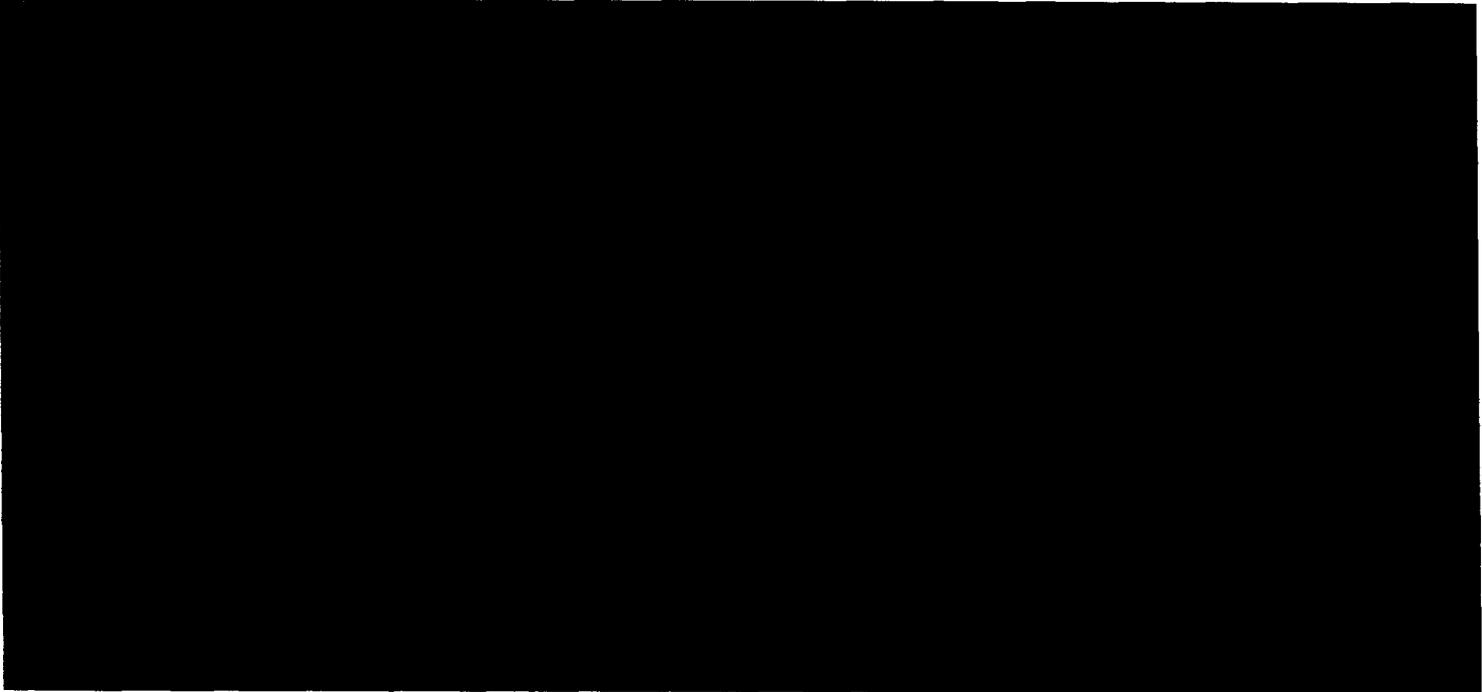
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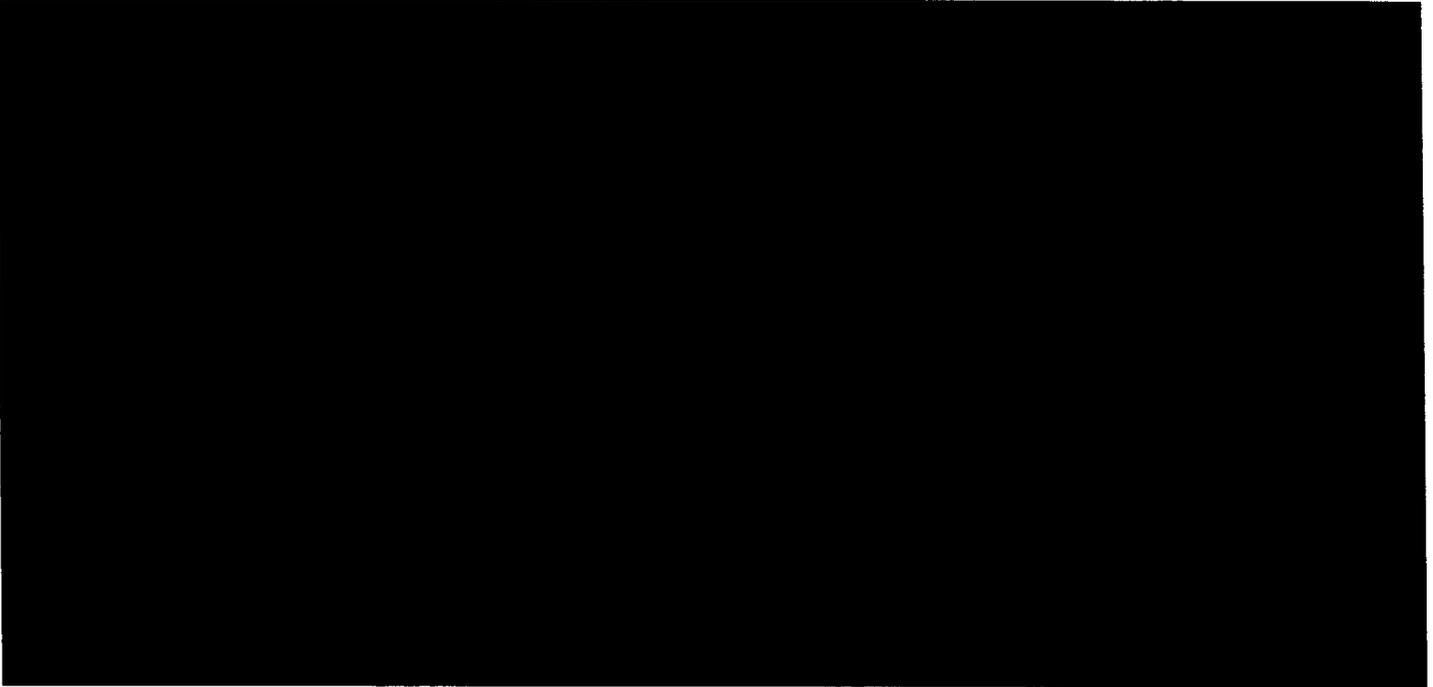
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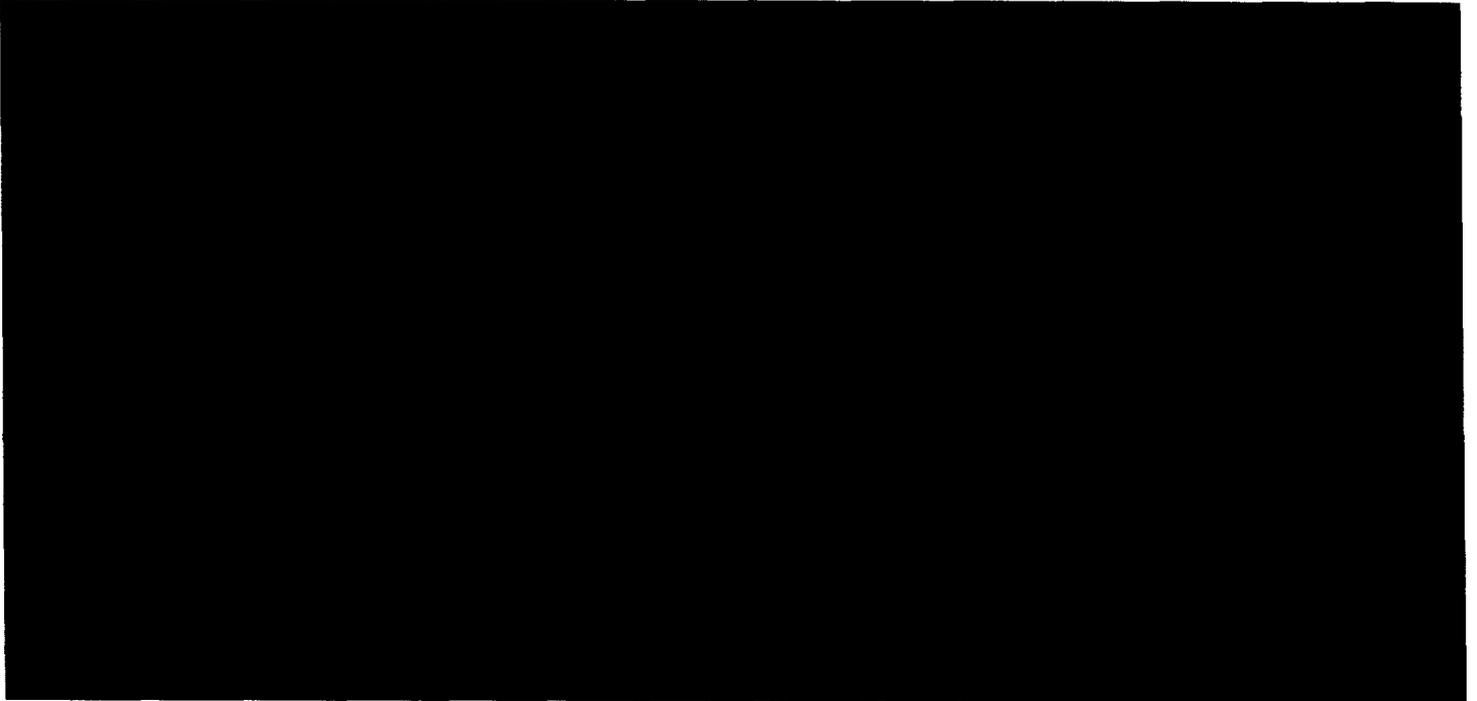
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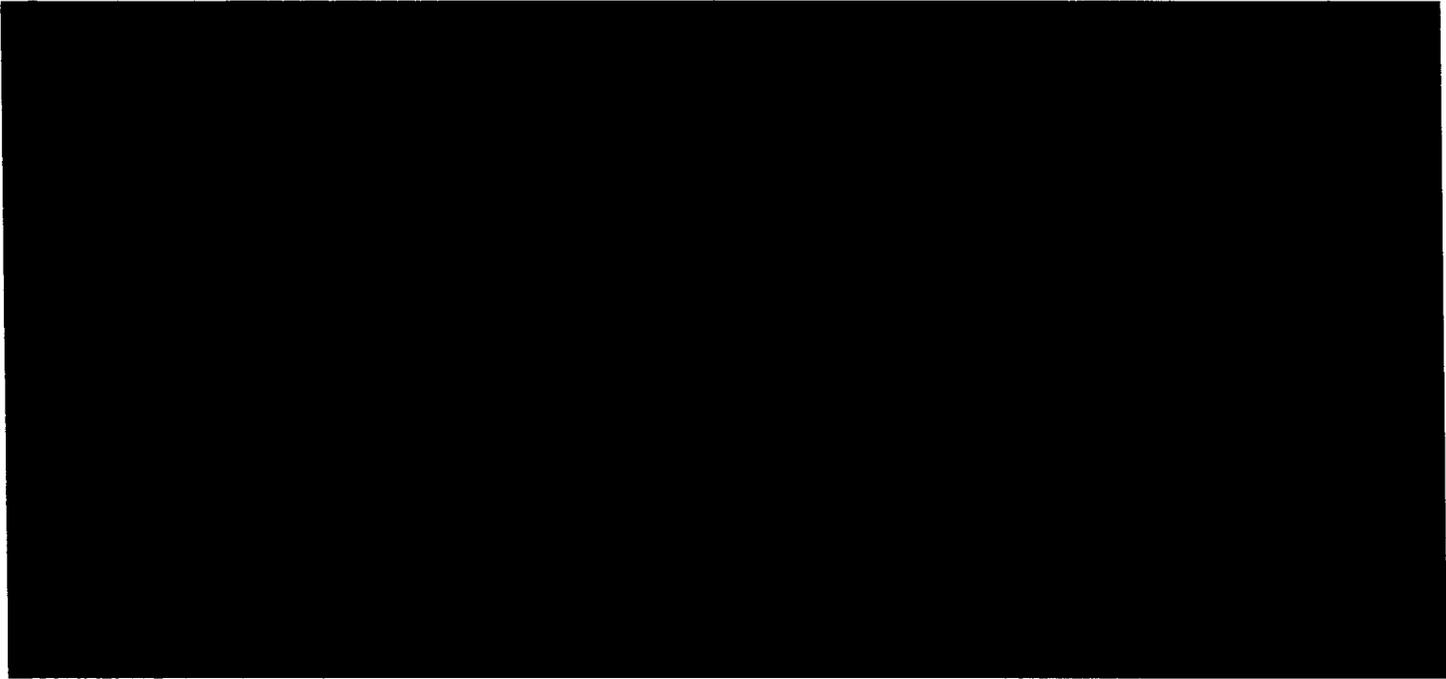
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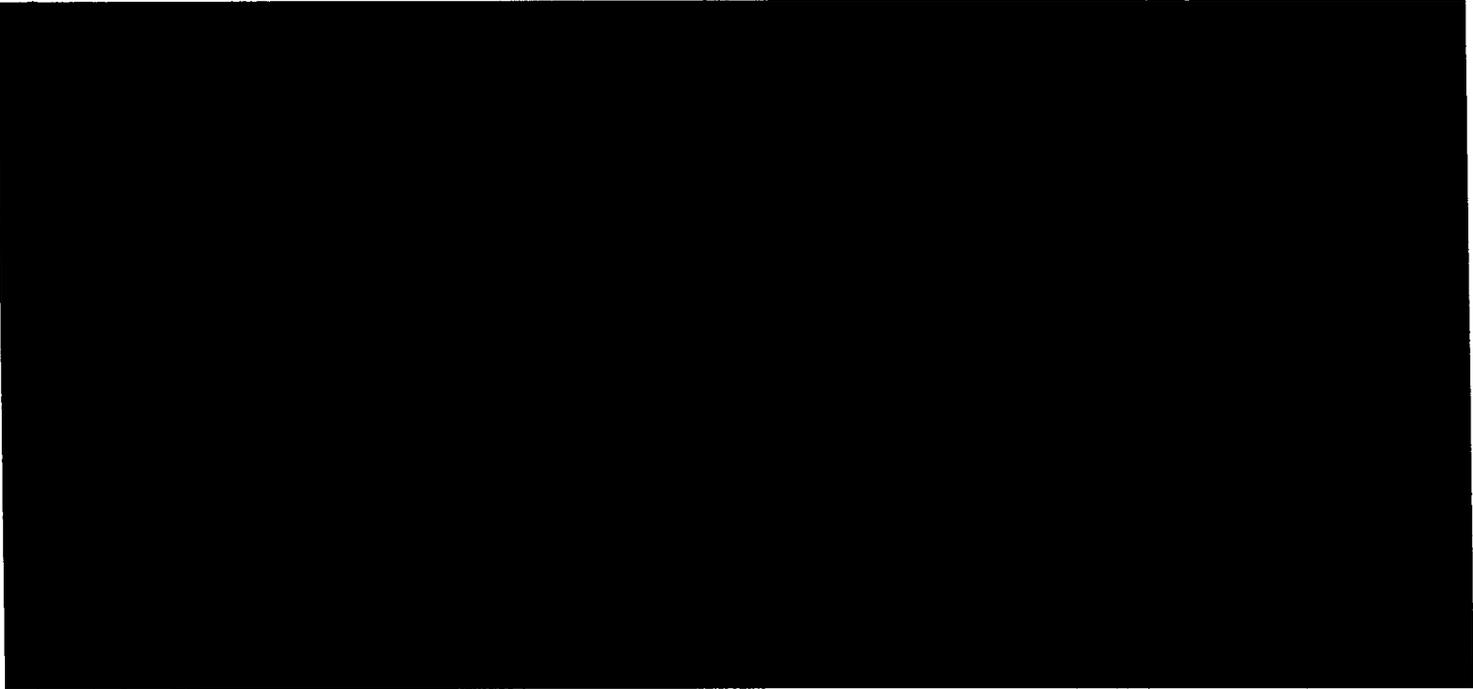
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cc: Michelle Faamausili  
Teresa Harper  
Mary Ozga



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cc: Cynthia Oliver  
Judy Rixe  
Matt Green

[Redacted]

[Redacted]

[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]

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**EXHIBIT A**

**BEFORE THE ARIZONA CORPORATION COMMISSION**

**COMMISSIONERS**

MIKE GLEASON, Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
KRISTIN K. MAYES  
GARY PIERCE

IN THE MATTER OF THE APPLICATION OF  
DIECA COMMUNICATIONS DBA COVAD  
COMMUNICATIONS COMPANY, ESCHELON  
TELECOM OF ARIZONA, INC., MCLEODUSA  
TELECOMMUNICATIONS SERVICES, INC.,  
MOUNTAIN TELECOMMUNICATIONS, INC.,  
XO COMMUNICATIONS SERVICES, INC. AND  
QWEST CORPORATION'S REQUEST FOR  
COMMISSION PROCESS TO ADDRESS KEY  
UNE ISSUES ARISING FROM TRIENNIAL  
REVIEW REMAND ORDER, INCLUDING  
APPROVAL OF QWEST WIRE CENTER LISTS.

DOCKET NO. T-03632A-06-0091  
T-03267A-06-0091  
T-04302A-06-0091  
T-03406A-06-0091  
T-03432A-06-0091  
T-01051B-06-0091

**PROTECTIVE ORDER**

1. (a) Confidential Information. All documents, data, studies and other materials furnished pursuant to any requests for information, subpoenas or other modes of discovery (formal or informal), and including depositions, and other requests for information, that are claimed to be proprietary or confidential (herein referred to as "Confidential Information"), shall be so marked by the providing party by stamping the same with a "Confidential" designation. In addition, all notes or other materials that refer to, derive from, or otherwise contain parts of the Confidential Information will be marked by the receiving party as Confidential Information. Access to and review of Confidential Information shall be strictly controlled by the terms of this Order.

(b) Use of Confidential Information – Proceedings. All persons who may be entitled to review, or who are afforded access to any Confidential Information by reason of this Order shall neither use nor disclose the Confidential Information for purposes of business or competition, or any purpose other than the purpose of preparation for and conduct of proceedings in the above-

captioned docket or before the Federal Communications Commission ("FCC"), and all subsequent appeals, and shall keep the Confidential Information secure as confidential or proprietary information and in accordance with the purposes, intent and requirements of this Order.

(c) Persons Entitled to Review. Each party that receives Confidential Information pursuant to this Order must limit access to such Confidential Information to (1) attorneys employed or retained by the party in these proceedings and the attorneys' staff; (2) experts, consultants and advisors who need access to the material to assist the party in these proceedings; (3) only those employees of the party who are directly involved in these proceedings, provided that counsel for the party represents that no such employee is engaged in the sale or marketing of that party's products or services. In addition, access to Confidential Information may be provided to Commissioners and all Commission Administrative Law Judges, and Commission advisory staff members and employees of the Commission to whom disclosure is necessary. In states where Commission Staff act as advocates in a trial or adversarial role, disclosure of both Confidential Information and Highly Confidential Information to staff members and consultants employed by the staff shall be under the same terms and conditions as described herein for parties.

(d) Nondisclosure Agreement. Any party, person, or entity that receives Confidential Information pursuant to this Order shall not disclose such Confidential Information to any person, except persons who are described in section 1(c) above and who have signed a nondisclosure agreement in the form which is attached hereto and incorporated herein as Exhibit "A". Court reporters shall also be required to sign an Exhibit "A" and comply with terms of this Order. Commissioners, Administrative Law Judges, and their respective staff members are not required to sign an Exhibit "A" form.

The nondisclosure agreement (Exhibit "A") shall require the person(s) to whom disclosure is to be made to read a copy of this Protective Order and to certify in writing that they have reviewed the same and have consented to be bound by its terms. The agreement shall contain the signatory's full name, employer, job title and job description, business address and the name of the party with whom the signatory is associated. Such agreement shall be delivered to counsel for the providing party before disclosure is made, and if no objection thereto is registered to the Commission with in

three (3) business days, then disclosure shall follow. An attorney who makes Confidential Information available to any person listed in subsection (c) above shall be responsible for having each person execute an original Exhibit "A" and a copy of all such signed Exhibit "A's" shall be circulated to all other counsel of record promptly after execution.

2. (a) Notes. Limited notes regarding Confidential Information may be taken by counsel and experts for the express purpose of preparing pleadings, cross-examinations, briefs, motions and argument in connection with this proceeding, or in the case of persons designated in section 1(c) of this Protective Order, to prepare for participation in this proceeding. Such notes shall then be treated as Confidential Information for purposes of this Order, and shall be destroyed after the final settlement or conclusion of these proceedings in accordance with subsection 2(b) below.

(b) Return. All notes, to the extent they contain Confidential Information and are protected by the attorney-client privilege or the work product doctrine, shall be destroyed after the final settlement or conclusion of these proceedings. The party destroying such Confidential Information shall advise the providing party of that fact within a reasonable time from the date of destruction.

3. Highly Confidential Information. Any person, whether a party or non-party, may designate certain competitively sensitive Confidential Information as "Highly Confidential Information" if it determines in good faith that it would be competitively disadvantaged by the disclosure of such information to its competitors. Highly Confidential Information includes, but is not limited to, documents, pleadings, briefs, and appropriate portions of deposition transcripts, which contain information regarding the market share of, number of access lines served by, or number of customers receiving a specified type of service from a particular provider or other information that relates to a particular provider's network facility location detail, revenues, costs, and marketing, business planning or business strategies.

Parties must scrutinize carefully responsive documents and information and limit their designations as Highly Confidential Information to information that truly might impose a serious business risk if disseminated without the heightened protections provided in this section. The first page and individual pages of a document determined in good faith to include Highly Confidential

Information must be marked by a stamp that reads:

“HIGHLY CONFIDENTIAL – USE RESTRICTED PER PROTECTIVE ORDER IN DOCKET NO. T-03632A-06-0091 ET AL.”

Placing a “Highly Confidential” stamp on the first page of a document indicates only that one or more pages contain Highly Confidential Information and will not serve to protect the entire contents of a multi-page document. Each page that contains Highly Confidential Information must be marked separately to indicate Highly Confidential Information, even where that information has been redacted. The unredacted versions of each page containing Highly Confidential Information, and provided under seal, should be submitted on paper distinct in color from non-confidential information and “Confidential Information” described in section 1 of this Protective Order.

Parties seeking disclosure of Highly Confidential Information must designate the person(s) to whom they would like the Highly Confidential Information disclosure in advance of disclosure by the providing party. Such designation may occur through the submission of Exhibit “B” of the non-disclosure agreement identified in section 1(d). Parties seeking disclosure of Highly Confidential Information shall not designate more than (1) a reasonable number of in-house attorneys who have direct responsibility for matters relating to Highly Confidential Information; (2) five in-house experts; and (3) a reasonable number of outside counsel and outside experts to review materials marked as “Highly Confidential”. Disclosure of Highly Confidential Information to Commissioners, Administrative Law Judges and Commission Advisory Staff members shall be limited to persons to whom disclosure is necessary. Commissioners, Administrative Law Judges, and their respective staff members are not required to sign an Exhibit “B” form. The Exhibit “B” also shall describe in detail the job duties or responsibilities of the person being designated to see Highly Confidential Information and the person’s role in the proceeding. Highly Confidential Information may not be disclosed to persons engaged in strategic or competitive decision making for any party, including, but not limited to, the sale or marketing or pricing of products or services on behalf of any party.

Any party providing either Confidential Information or Highly Confidential Information may object to the designation of any individual as a person who may review Confidential Information

and/or Highly Confidential Information. Such objection shall be made in writing to counsel submitting the challenged individual's Exhibit "A" or "B" within three (3) business days after receiving the challenged individual's signed Exhibit "A" or "B". Any such objection must demonstrate good cause to exclude the challenged individual from the review of the Confidential Information or Highly Confidential Information. Written response to any objection shall be made within three (3) business days after receipt of an objection. If, after receiving a written response to a party's objection, the objecting party still objects to disclosure of either Confidential Information or Highly Confidential Information to the challenged individual, the Commission shall determine whether Confidential Information or Highly Confidential Information must be disclosed to the challenged individual.

Copies of Highly Confidential Information may be provided to in-house attorneys, outside counsel and outside experts who have signed Exhibit "B". The in-house experts who have signed Exhibit "B" may inspect, review and make notes from the in-house attorney's copies of Highly Confidential Information.

Persons authorized to review the Highly Confidential Information will maintain the documents and any notes reflecting their contents in a secure location to which only designated counsel and experts have access. No additional copies will be made, except for use during hearings and then such disclosure and copies shall be subject to the provisions of Section 6. Any testimony or exhibits prepared that reflect Highly Confidential Information must be maintained in the secure location until removed to the hearing room for production under seal. Unless specifically addressed in this section, all other sections of this Protective Order applicable to Confidential Information also apply to Highly Confidential Information.

4. Objections to Admissibility. The furnishing of any document, data, study or other materials pursuant to this Protective Order shall in no way limit the right of the providing party to object to its relevance or admissibility in proceedings before this Commission.

5. Small Company Exemption. Notwithstanding the restrictions in sections 1 and 3 applicable to persons who may access Confidential Information or Highly Confidential Information, a Small Company may designate any employee or in-house expert to review Confidential

Information and/or Highly Confidential Information if the producing party, upon request, gives prior written authorization for that person to review Confidential Information and/or Highly Confidential Information. If the producing party refuses to give such written authorization, the reviewing party may, for good cause shown, request an order from the Administrative Law Judge allowing a prohibited person(s) to review Confidential Information and/or Highly Confidential Information. The producing party shall be given the opportunity to respond to the Small Company's request before an order is issued. "Small Company" means a party with fewer than 5000 employees, including the employees of affiliates' U.S. ILEC, CLEC, and IXC operations within a common holding company.

6. Challenge to Confidentiality. This Order establishes a procedure for the expeditious handling of information that a party claims is Confidential or Highly Confidential. It shall not be construed as an agreement or ruling on the confidentiality of any document. Any party may challenge the characterization of any information, document, data or study claimed by the providing party to be confidential in the following manner:

- (a) A party seeking to challenge the confidentiality of any materials pursuant to this Order shall first contact counsel for the providing party and attempt to resolve any differences by stipulation;
- (b) In the event that the parties cannot agree as to the character of the information challenged, any party challenging the confidentiality shall do so by appropriate pleading. This pleading shall:
  - (1) Designate the document, transcript or other material challenged in a manner that will specifically isolate the challenged material from other material claimed as confidential; and
  - (2) State with specificity the grounds upon which the documents, transcript or other material are deemed to be non-confidential by the challenging party.
- (c) A ruling on the confidentiality of the challenged information, document, data or study shall be made by an Administrative Law Judge after proceedings in camera, which shall be conducted under circumstances such that only those persons duly authorized hereunder to have access to such confidential materials shall be present. This hearing shall commence no earlier than five (5) business days after service on the providing party of the pleading required by subsection 6(b) above.

- (d) The record of said in camera hearing shall be marked "CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER IN DOCKET NO. T-03632A-06-0091 ET AL.". Court reporter notes of such hearing shall be transcribed only upon agreement by the parties or Order of the Administrative Law Judge and in that event shall be separately bound, segregated, sealed, and withheld from inspection by any person not bound by the terms of this Order.
- (e) In the event that the Administrative Law Judge should rule that any information, document, data or study should be removed from the restrictions imposed by this Order, no party shall disclose such information, document, data or study or use it in the public record for five (5) business days unless authorized by the providing party to do so. The provisions of this subsection are intended to enable the providing party to seek a stay or other relief from an order removing the restriction of this Order from materials claimed by the providing party to be confidential.

7. (a) Receipt into Evidence. Provision is hereby made for receipt into evidence in this proceeding materials claimed to be confidential in the following manner:

- (1) Prior to the use of or substantive reference to any Confidential Information, the parties intending to use such Information shall make that intention known to the providing party.
- (2) The requesting party and the providing party shall make a good-faith effort to reach an agreement so that the Information can be used in a manner which will not reveal its confidential or proprietary nature.
- (3) If such efforts fail, the providing party shall separately identify which portions, if any, of the documents to be offered or referenced shall be placed in a sealed record.
- (4) Only one (1) copy of the document designated by the providing party to be placed in sealed record shall be made.
- (5) The copy of the documents to be placed in the sealed record shall be tendered by counsel for the providing party to the Commission, and maintained in accordance with the terms of this Order.

(b) Seal. While in the custody of the Commission, materials containing Confidential Information shall be marked "CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER IN DOCKET NO. T-03632A-06-0091 ET AL." and Highly Confidential Information shall be marked "HIGHLY CONFIDENTIAL – USE RESTRICTED PER PROTECTIVE ORDER IN DOCKET NO. T-03632A-06-0091 ET AL." and shall not be examined by any person except under

the conditions set forth in this Order.

(c) In Camera Hearing. Any Confidential Information or Highly Confidential Information that must be orally disclosed to be placed in the sealed record in this proceeding shall be offered in an in camera hearing, attended only by persons authorized to have access to the information under this Order. Similarly, any cross-examination on or substantive reference to Confidential Information or Highly Confidential Information (or that portion of the record containing Confidential Information or Highly Confidential Information or references thereto) shall be received in an in camera hearing, and shall be marked and treated as provided herein.

(d) Access to Record. Access to sealed testimony, records and information shall be limited to the Administrative Law Judge, Commissioners, and their respective staffs, and persons who are entitled to review Confidential Information or Highly Confidential Information pursuant to subsection 1(c) above and have signed Exhibit "A" or "B", unless such information is released from the restrictions of this Order either through agreement of the parties or after notice to the parties and hearing, pursuant to the ruling of an Administrative Law Judge, the order of the Commission an/or final order of a court having final jurisdiction.

(e) Appeal/Subsequent Proceedings. Sealed portions of the record in this proceeding may be forwarded to any court of competent jurisdiction for purposes of an appeal or to the FCC, but under seal as designated herein for the information and use of the court or the FCC. If a portion of the record is forwarded to a court or the FCC, the providing party shall be notified which portion of the sealed record has been designated by the appealing party as necessary to the record on appeal or for use at the FCC.

(f) Return. Unless otherwise ordered, Confidential Information and Highly Confidential Information, including transcripts of any depositions to which a claim of confidentiality is made, shall remain under seal, shall continue to be subject to the protective requirements of this Order, and shall, at the providing party's discretion, be returned to counsel for the providing party, or destroyed by the receiving party, within thirty (30) days after final settlement or conclusion of these proceedings. If the providing party elects to have Confidential Information or Highly Confidential Information destroyed rather than returned, counsel for the receiving party shall verify in writing that

the material has in fact been destroyed.

8. Use in Pleadings. Where references to Confidential Information or Highly Confidential Information in the sealed record or with the providing party is required in pleadings, briefs, arguments or motions (except as provided in section 6), it shall be by citation of title or exhibit number or some other description that will not disclose the substantive Confidential Information or Highly Confidential Information contained therein. Any use of or substantive references to Confidential Information or Highly Confidential Information shall be placed in a separate section of the pleading or brief and submitted to the Administrative Law Judge or the Commission under seal. This sealed section shall be served only on counsel of record and parties of record who have signed the nondisclosure agreement set forth in Exhibit "A" or "B." All of the restrictions afforded by this Order apply to materials prepared and distributed under this section.

9. Summary of Record. If deemed necessary by the Commission, the providing party shall prepare a written summary of the Confidential Information referred to in the Order to be placed on the public record.

10. The provisions of this Order are specifically intended to apply to all data, documents, studies, and other material designated as confidential or highly confidential by any party to Docket No. T-03632A-06-0091 ET AL. The provisions are also intended to apply to all data, documents, studies, and other material designated as confidential or highly confidential by any non-party that provides such material in response to data requests in this docket, whether it is provided voluntarily or pursuant to subpoena.

11. This Protective Order shall continue in force and effect after these Dockets are closed.

**EXHIBIT A  
CONFIDENTIAL INFORMATION**

I have read the foregoing Protective Order dated \_\_\_\_\_, 2008, in Docket Nos. T-03632A-06-0091, T-03406A-06-0091, T-03267A-06-0091, T-03432A-06-0091, T-04302A-06-0091, T-01051B-06-0091 and agree to be bound by the terms and conditions of this Order.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Employer

\_\_\_\_\_  
Job title and Job Description

\_\_\_\_\_  
Business Address

\_\_\_\_\_  
Party

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**EXHIBIT B**  
**HIGHLY CONFIDENTIAL INFORMATION**

I have read the foregoing Protective Order dated \_\_\_\_\_, 2008, in Docket Nos. T-03632A-06-0091, T-03406A-06-0091, T-03267A-06-0091, T-03432A-06-0091, T-04302A-06-0091, T-01051B-06-0091 and agree to be bound by the terms and conditions of this Order.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Employer

\_\_\_\_\_  
Job title and Job Description

\_\_\_\_\_  
Business Address

\_\_\_\_\_  
Party

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date