

OPEN MEETING



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MEMORANDUM

ORIGINAL

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Arizona Corporation Commission

TO: THE COMMISSION **DOCKETED** 2014 AUG 25 P 3:36
FROM: Utilities Division **AUG 25 2014**
DATE: August 25, 2014 **DOCKETED BY**  **DOCKET CONTROL**

RE: 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 (DOCKET NOS. T-03632A-06-0091, T-03406A-06-0091, T-03267A-06-0091, T-03432A-06-0091, T-04302A-06-0091 AND T-01051B-06-0091)

On June 27, 2014, Qwest Corporation dba CenturyLink QC ("CenturyLink") filed a request with the Arizona Corporation Commission ("Commission") to approve CenturyLink's 2014 addition to its non-impaired wire center list in accordance with the Federal Communication Commission ("FCC")'s *Triennial Review Remand Order ("TRRO")*.¹ In the TRRO, the FCC determined that Competitive Local Exchange Carriers ("CLECs") were no longer impaired without unbundled network switching. The FCC also established certain criteria for determining whether CLECs were impaired without access to other Unbundled Network Elements ("UNEs"). When wire centers are designated as non-impaired for certain services, CLECs are no longer able to access those UNEs at Total Element Long-Run Incremental Cost ("TELRIC") prices, and the CLECs must transition to facilities of their own, to alternative services from another provider, or to Incumbent Local Exchange Carriers ("ILECs") at tariff prices.

According to the process established by the Commission in Decision No. 72178 for future wire center classification filings, CenturyLink is to confer with Staff to develop the mailing list of affected Arizona carriers, as well as a form of notice that CenturyLink can serve on all affected Arizona carriers at, or before, the time that it files a wire center additions request. The notice, to be approved by Staff, is to provide the carriers with information about the proposed designations, is to provide information about how to obtain the information supporting CenturyLink's proposed designations, and is to provide at least 30 days for interested carriers to review the information and file any objections to CenturyLink's proposed designations.

CenturyLink is to file certification of mailing the notice as soon as practical. If the matter is uncontested, Staff may prepare an Order for the Commission's consideration, or forward the matter

¹ 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. 04-3 13 (FCC rel. February 4, 2005) (hereafter "Triennial Review Remand Order" or "TRRO").

THE COMMISSION

August 25, 2014

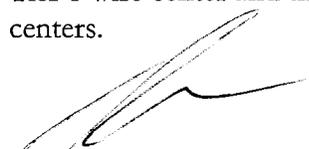
Page 2

to the Hearing Division for the preparation of an Order. Staff is to file a Staff Report and recommendations if it forwards the matter to the Hearing Division. If any carrier, intervenor or Staff objects to CenturyLink's proposed designations, the Hearing Division is to establish procedures for resolving the dispute. In addition, any party may request a Procedural Conference before an Administrative Law Judge to discuss the process or substantive issues raised by the Application at any time.

Pursuant to this established process, CenturyLink conferred with Staff to develop a mailing list of affected Arizona Carriers, Staff approved CenturyLink's proposed form of notice. The notice contains the required information and provided at least 30 days for interested carriers to review the information and to file any objections to CenturyLink's proposed designations.

Eschelon Telecom of Arizona, Inc., Mountain Telecommunications, Inc., and Electric Lightwave, LLC, all doing business as Integra Telecom (collectively referred to as "Integra") provided comments on CenturyLink's Application on August 1, 2014. In its comments, Integra stated that it requested from and received from CenturyLink the highly confidential information CenturyLink had filed in support of its Application. Integra further stated that it performed a review of the information and, as a result, states that it is not opposed to CenturyLink's Application that the Scottsdale Main (SCDLAZMA) Wire Center be reclassified from a Tier 2 wire center to a Tier 1 wire center.

This matter is uncontested. Therefore, Staff recommends approval of CenturyLink's 2014 reclassification of the Scottsdale Main (SCDLAZMA) Wire Center from a Tier 2 wire center to a Tier 1 wire center and that this wire center be added to CenturyLink's list of non-impaired wire centers.



Steven M. Olea
Director
Utilities Division

SMO:MAC:sms\MAS

ORIGINATOR: Matt Connolly

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BEFORE THE ARIZONA CORPORATION COMMISSION

BOB STUMP
Chairman
GARY PIERCE
Commissioner
BRENDA BURNS
Commissioner
BOB BURNS
Commissioner
SUSAN BITTER SMITH
Commissioner

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.)

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

DECISION NO. _____

ORDER

Open Meeting
September 9 and 10, 2014
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On June 27, 2014, Qwest Corporation dba CenturyLink QC ("CenturyLink") filed a request with the Arizona Corporation Commission ("Commission") to approve CenturyLink's 2014 addition to its non-impaired wire center list in accordance with the Federal Communications Commission ("FCC")'s *Triennial Review Remand Order* ("TRRO").¹ In the TRRO, the FCC

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1 determined that Competitive Local Exchange Carriers (“CLECs”) were no longer impaired
2 without unbundled network switching. The FCC also established certain criteria for determining
3 whether CLECs were impaired without access to other Unbundled Network Elements (“UNEs”).
4 When wire centers are designated as non-impaired for certain services, CLECs are no longer able
5 to access those UNEs at Total Element Long-Run Incremental Cost (“TELRIC”) prices, and the
6 CLECs must transition to facilities of their own, to alternative services from another provider, or to
7 Incumbent Local Exchange Carriers (“ILECs”) at tariff prices.

8 2. According to the process established by the Commission in Decision No. 72178 for
9 future wire center classification filings, CenturyLink is to confer with Staff to develop the mailing
10 list of affected Arizona carriers, as well as a form of notice that CenturyLink can serve on all
11 affected Arizona carriers at, or before, the time that it files a wire center additions request. The
12 notice, to be approved by Staff, is to provide the carriers with information about the proposed
13 designations, is to provide information about how to obtain the information supporting
14 CenturyLink’s proposed designations, and is to provide at least 30 days for interested carriers to
15 review the information and file any objections to CenturyLink’s proposed designations.

16 3. CenturyLink is to file certification of mailing the notice as soon as practical. If the
17 matter is uncontested, Staff may prepare an Order for the Commission’s consideration, or forward
18 the matter to the Hearing Division for the preparation of an Order. Staff is to file a Staff Report
19 and recommendations if it forwards the matter to the Hearing Division. If any carrier, intervenor
20 or Staff objects to CenturyLink’s proposed designations, the Hearing Division is to establish
21 procedures for resolving the dispute. In addition, any party may request a Procedural Conference
22 before an Administrative Law Judge to discuss the process or substantive issues raised by the
23 Application at any time.

24 4. Pursuant to this established process, CenturyLink conferred with Staff to develop a
25 mailing list of affected Arizona Carriers and Staff approved CenturyLink’s proposed form of
26 notice. The notice contained the required information and provided at least 30 days for interested
27 carriers to review the information and to file any objections to CenturyLink’s proposed
28 designations.

ORDER

IT IS THEREFORE ORDERED that the following wire center shall be added to Qwest Corporation dba CenturyLink QC's list of non-impaired wire centers:

Wire Center	CLLI	Tier	Non-Impairment for
Scottsdale Main	SCDLAZMA	Tier 1	DS1, DS3, Transport & DF

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this _____ day of _____, 2014.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

SMO:MAC:sms\MAS

1 SERVICE LIST FOR: DIECA COMMUNICATIONS DBA COVAD COMMUNICATIONS
2 COMPANY, ESCHELON TELECOM OF ARIZONA, INC.,
3 MCLEODUSA TELECOMMUNICATIONS SERVICES, INC.,
4 MOUNTAIN TELECOMMUNICATIONS, INC., XO
COMMUNICATIONS SERVICES, INC. AND QWEST
CORPORATION

5 DOCKET NOS.: T-03632A-06-0091, T-03406A-06-0091, T-03267A-06-0091, T-03432A-06-
6 0091, T-04302A-06-0091 AND T-01051B-06-00911

7 Norman G. Curtright
8 Associate General Counsel
9 20 East Thomas Road – 1st Floor
10 Phoenix, Arizona 85012

11 AT&T Communications of the Mountain States, Inc.
12 Attn: Cindy Hardy
13 One AT&T Way, Rm 2B115E
14 Bedminster, NJ 0792 1

15 Ms Kim Isaacs
16 Director Carrier Relations
17 Integra Telecom
18 6160 Golden Hills Dr.
19 Golden Valley, MN 55416

20 Cox Arizona Telcom, L.L.C.
21 Attn: Mark Dinunzio
22 1500 W Deer Valley Rd.
23 Phoenix, AZ 85027

24 McLeod USA Telecommunications Services, LLC
25 Attn: Stephanie D. Marsh
26 4001 Rodney Parham Road
27 Little Rock, AR 72212

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

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

- 1 Ms Rochelle Jones
tw telecom
- 2 Senior Vice President, Regulatory
10475 Park Meadows Drive
- 3 Littleton, CO 80124
- 4
- 5 Rex Knowles
XO Communications, Inc.
7050 Union Park Ave., Suite 400
- 6 Midvale, UT 84047
- 7
- 8 Douglas Denney
Integra Telecom
1201 NE Lloyd Boulevard, Suite 500
- 9 Portland, OR 97232
- 10
- 11 MCImetro Access Transmission
Services, LLC
201 Spear St, 9th Flr
- 12 San Francisco, CA 94105
- 13
- 14 Michael W. Patten
Roshka DeWulf & Patten, PLC
One Arizona Center
- 15 400 East Van Buren Street, Suite 800
Phoenix, AZ 85004
- 16
- 17 WilTel Communications, LLC
712 N. Main St.
Coudersport, PA 16915
- 18
- 19 Zayo Group, LLC
Attn: Tim Gentry
400 Centennial Parkway
- 20 Louisville, CO 80027
- 21
- 22 Greg Diamond
Covad Communications Company
Senior Counsel
- 23 7901 E. Lowry Boulevard
24 Denver, CO 80230
- 25
- 26 360networks (USA) Inc.
Attn: Michel Singer Nelson
Associate General Counsel
- 27 867 Coal Creek Circle, Suite 160
Louisville, CO 80027
- 28

1 Mike Hazel
Mountain Telecommunications
2 1430 West Broadway, Suite 206
3 Tempe, AZ 85282
4 Steve Olea, Director
Utilities Division
5 Arizona Corporation Commission
1200 West Washington Street
6 Phoenix, AZ 95012
7 Janice Alward, Esq., Director
8 Legal Division
Arizona Corporation Commission
9 1200 West Washington Street
Phoenix, AZ 95012
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