



0000156856

# OPEN MEETING

## MEMORANDUM

RECEIVED

2014 OCT 21 P 4: 09

Arizona Corporation Commission

DOCKETED

OCT 21 2014

TO: THE COMMISSION

FROM: Utilities Division

DATE: October 21, 2014

ORIGINAL

CORP COMMISSION  
DOCKET CONTROL

DOCKETED BY

RE: IN THE MATTER OF THE APPLICATION OF CENTURYLINK COMMUNICATIONS COMPANY, LLC FOR APPROVAL TO RESCIND PERFORMANCE BOND REQUIREMENT (DOCKET NO. T-02811B-14-0211)

### Introduction

On July 25, 2014, CenturyLink Communications Company, LLC ("CenturyLink" or "Applicant") submitted an Application requesting an order rescinding the performance bond requirement placed on the Applicant.

### Background

On December 9, 2003, in Decision No. 66612, the Arizona Corporation Commission ("Commission") ordered CenturyLink to file proof of performance bond procurement equal to \$100,000. CenturyLink completed this compliance filing on December 11, 2003. On February 2, 2006, as a result of Decision No. 68447 which expanded CenturyLink's CC&N authority, CenturyLink was ordered to procure an additional performance bond of \$135,000 and file proof of such. On January 31, 2007, CenturyLink filed proof and delivered the original surety bond rider to the Commission's Business Office. Staff has confirmed the Business Office is in possession of this original document along with additional surety bond riders effective January 2, 2009 that updated the name on the bond from Qwest Communications Corporation to Qwest Communications Company, LLC and April 1, 2014 that updated the name on the bond from Qwest Communications Company, LLC to CenturyLink Communications, LLC.

### Compliance

According to the Corporations Division, CenturyLink is in good standing. The Compliance Section of the Utilities Division reports that CenturyLink is currently in compliance. The Consumer Services Section of the Utilities Division reports there have been no complaints or opinions about CenturyLink Communications, the Competitive Local Exchange Carrier ("CLEC"), from January 1, 2011 to July 1, 2014.

### Staff Recommendations

The Commission has, in appropriate circumstances, relieved telecommunications providers of the obligation to maintain a performance bond or ISDLOC. Staff recommends CenturyLink be relieved of the performance bond requirements contained in Decision Nos. 66612 and 68447.

THE COMMISSION

October 17, 2014

Page 2

The Applicant states that for its bond cancellation purposes, it is sufficient for the Commission to include in an ordering paragraph language authorizing the Applicant to cancel, rescind, discontinue and be released from the performance bond required by Decision Nos. 66612 and 68447. CenturyLink has indicated to Staff that the original surety bond riders previously mentioned should be returned to the following name and address:

Mr. Reed Peterson  
CenturyLink Public Policy Department  
20 E. Thomas Road – 1<sup>st</sup> Floor  
Phoenix, AZ 85012



Steven M. Olea  
Director  
Utilities Division

SMO:MAC:sms\CHH

ORIGINATOR: Matt Connolly

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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 )  
 CENTURYLINK COMMUNICATIONS )  
 COMPANY, LLC FOR APPROVAL TO )  
 RESCIND PERFORMANCE BOND )  
 REQUIREMENT )

DOCKET NO. T-02811B-14-0211  
 DECISION NO. \_\_\_\_\_  
ORDER

Open Meeting  
 November 5 and 6, 2014  
 Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On July 25, 2014, CenturyLink Communications Company, LLC (“CenturyLink” or “Applicant”) submitted an Application requesting an order rescinding the performance bond requirement placed on the Applicant.

**Background**

2. On December 9, 2003, in Decision No. 66612, the Arizona Corporation Commission (“Commission”) ordered CenturyLink to file proof of performance bond procurement equal to \$100,000. CenturyLink completed this compliance filing on December 11, 2003. On February 2, 2006, as a result of Decision No. 68447 which expanded CenturyLink’s CC&N authority, CenturyLink was ordered to procure an additional performance bond of \$135,000 and file proof of such. On January 31, 2007, CenturyLink filed proof and delivered the original surety bond rider to the Commission’s Business Office. Staff has confirmed the Business Office is in possession of this original document along with additional surety bond riders effective January 2, 2009 that updated the name on the bond

1 from Qwest Communications Corporation to Qwest Communications Company, LLC and April 1,  
2 2014 that updated the name on the bond from Qwest Communications Company, LLC to  
3 CenturyLink Communications, LLC.

4 **Compliance**

5 3. According to the Corporations Division, CenturyLink is in good standing. The  
6 Compliance Section of the Utilities Division reports that CenturyLink is currently in compliance. The  
7 Consumer Services Section of the Utilities Division reports there have been no complaints or  
8 opinions about CenturyLink Communications, the Competitive Local Exchange Carrier (“CLEC”),  
9 from January 1, 2011 to July 1, 2014.

10 **Staff Recommendations**

11 4. The Commission has, in appropriate circumstances, relieved telecommunications  
12 providers of the obligation to maintain a performance bond or irrevocable sight draft letter of credit  
13 (“ISDLOC”). Staff recommends CenturyLink be relieved of the performance bond requirements  
14 contained in Decision Nos. 66612 and 68447.

15 5. The Applicant states that for its bond cancellation purposes, it is sufficient for the  
16 Commission to include in an ordering paragraph language authorizing the Applicant to cancel, rescind,  
17 discontinue and be released from the performance bond required by Decision Nos. 66612 and 68447.

18 6. CenturyLink has indicated to Staff that the original surety bond riders previously  
19 mentioned should be returned to the following name and address:

20 Mr. Reed Peterson  
21 CenturyLink Public Policy Department  
22 20 E. Thomas Road – 1st Floor  
Phoenix, Arizona 85012

23 CONCLUSIONS OF LAW

24 1. CenturyLink Communications Company, LLC is a public service corporation within  
25 the meaning of Article XV of the Arizona Constitution.

26 2. The Commission has jurisdiction over CenturyLink Communications Company, LLC  
27 and the subject matter in this filing.

28 ...



1 IT IS FURTHER ORDERED that CenturyLink Communications Company, LLC may  
 2 cancel, rescind, discontinue and be released from any performance bond, irrevocable sight draft letter  
 3 of credit or other instrument obtained in compliance with the performance bond requirements set by  
 4 Decision Nos. 66612 and 68447.

5 IT IS FURTHER ORDERED that the original surety bond riders on file with the  
 6 Commission on behalf of CenturyLink Communications Company, LLC be returned to the following  
 7 name and address provided by the Applicant:

8 Mr. Reed Peterson  
 9 CenturyLink Public Policy Department  
 10 20 E. Thomas Road – 1st Floor  
 11 Phoenix, Arizona 85012

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

13 **BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**

	CHAIRMAN	COMMISSIONER
COMMISSIONER	COMMISSIONER	COMMISSIONER

18  
 19 IN WITNESS WHEREOF, I, JODI JERICH, Executive  
 20 Director of the Arizona Corporation Commission, have  
 21 hereunto, set my hand and caused the official seal of this  
 22 Commission to be affixed at the Capitol, in the City of  
 23 Phoenix, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

24 \_\_\_\_\_  
 25 JODI JERICH  
 26 EXECUTIVE DIRECTOR

27 DISSENT: \_\_\_\_\_

28 DISSENT: \_\_\_\_\_

SMO:MAC:sms\CHH

1 SERVICE LIST FOR: CenturyLink Communications Company, LLC  
2 DOCKET NO. T-02811B-14-0211

3 Mr. Norman G. Curtright  
4 Associate General Counsel  
5 20 E. Thomas Road, 1<sup>st</sup> Floor  
6 Phoenix, Arizona 85012

7 Mr. Steven M. Olea  
8 Director, Utilities Division  
9 Arizona Corporation Commission  
10 1200 West Washington Street  
11 Phoenix, Arizona 85007

12 Ms. Janice M. Alward  
13 Chief Counsel, Legal Division  
14 Arizona Corporation Commission  
15 1200 West Washington Street  
16 Phoenix, Arizona 85007

17 Ms. Lyn Farmer  
18 Chief Administrative Law Judge  
19 Arizona Corporation Commission  
20 1200 West Washington Street  
21 Phoenix, Arizona 85007

22  
23  
24  
25  
26  
27  
28