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BEFORE THE ARIZONA CORPORATION COMMISSION  
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Chairman

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Arizona Corporation Commission

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Commissioner

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TOM FORESE

Commissioner

AUG 21 2015

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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  
T-01051B-06-0091

QWEST CORPORATION DBA  
CENTURYLINK QC MOTION FOR  
AN ORDER APPROVING THE 2015  
ADDITIONS TO THE NON-  
IMPAIRED WIRE CENTER LIST

Qwest Corporation dba CenturyLink QC ("CenturyLink") moves for an order approving the 2015 additions to the non-impaired wire center list, as requested in its Application made on June 24, 2015.

CenturyLink's 2015 Application to approve additions to the list of non-impaired wire centers is one of a series of filings made to designate certain of CenturyLink's Arizona wire centers as "non-impaired" for purposes of Section 252 of the Telecom Act, under the FCC's 2005 TRRO ruling.<sup>1</sup> The TRRO provided an important standard that all state jurisdictions must follow with regard to ILECs' duty under

<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 Section 251(c)(3) to make unbundled network elements (“UNEs” or “network elements”) available to  
2 requesting carriers. Section 251(d)(2)(B) provides that in determining which network elements must be  
3 made available under Section 251(c)(3), the FCC shall consider whether the failure to provide access to  
4 such network element would “impair” the ability of the telecommunications carrier seeking access to  
5 provide the services it seeks to offer. Among other things, the *TRRO* set the standards by which high-  
6 capacity dedicated transport and loops must be offered as UNEs. Under the *TRRO*, high-capacity dedicated  
7 transport will not be required to be offered as UNEs if the connecting wire centers meet certain threshold  
8 criteria. Those criteria involve the number of ILEC business lines and fiber-based collocators in those  
9 connected wire centers. The *TRRO* adopts different business line and collocator thresholds for DS1, DS3,  
10 and dark fiber transport. Similarly, high-capacity loops will not be required to be offered as UNEs if the  
11 number of ILEC business lines and fiber-based collocators reach certain identified levels. The *TRRO*  
12 adopts different business line and collocator thresholds for DS1 and DS3 loops, and eliminates unbundling  
13 requirements for dark fiber loops entirely.<sup>2</sup> When wire centers are designated as unimpaired for certain  
14 services, Competitive Local Exchange Carriers (“CLECs”) are no longer able to access those services at  
15 Total Element Long Run Incremental Cost (“TELRIC”) rates, and CLECs must transition to facilities of  
16 their own, to alternative services from another provider, or from the ILEC at non-UNE rates.<sup>3</sup> Under the  
17 *TRRO*, there is no impairment for DS1 transport on routes connecting wire centers where both wire centers  
18 are designated as “Tier 1.”

19 By its 2015 Application, CenturyLink seeks to add one wire center to the list of “Tier 1” wire  
20 centers. The basis for change of designation for the wire center in question is that there are now 4 or more  
21 fiber based collocators at that wire center. The wire center to be added to the Tier 1 list is Phoenix Cactus  
22 (CLLI Code = PHNXAZCA).

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

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

1 Requests for approval of additions to the non-impaired wire center list, and the process for such  
2 requests, are familiar to the Commission.<sup>4</sup> This is the seventh time since the FCC adopted the *TRRO* that  
3 conditions have been met for adding to the non-impaired wire center list in Arizona. The Commission has  
4 approved all of the previous requests for additions.<sup>5</sup> In the previous orders, the Commission ordered that  
5 procedures established therein shall apply to subsequent requests for additions to the non-impaired wire  
6 center list.

7 The Application should be approved, for the following reasons:

8 1. The number of fiber based collocators at the wire center has been verified, as evidenced by  
9 the sworn statements filed with the Application.

10 2. CenturyLink's Application conforms to the provisions of the *TRRO*, the Settlement  
11 Agreement with the named parties, and Decisions Nos. 70355, 70747, 72178 and 74245, 74748.

12 3. Pursuant to Decision No. 72178, CenturyLink and Staff worked together to develop a  
13 mailing list of affected Arizona carriers, as well as the form of notice to be sent. CenturyLink sent the  
14 notice to those carriers, all as described in the Application.

15 4. The Settlement Agreement contemplates that affected carriers shall have 30 days from the  
16 filing date to object to the wire center designations, and that in the absence of objections, the filing should  
17 be approved. No affected carrier has objected to the Application, which has been noticed to all carriers and  
18 on file longer than 30 days.<sup>6</sup>

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20  
21 <sup>4</sup> The basic process for CenturyLink to seek approval of additions to the non-impaired wire center list  
22 was determined by the Commission in Docket Nos. T-03632A-06-0091, T-03406A-06-0091, T-03267A-  
23 06-0091, T-03432A-06-0091, T-04302A-06-0091, T-01051B-06-0091 (collectively, the "*TRRO* Wire  
24 Center Dockets") on May 16, 2008, Decision No. 70355 ("*TRRO* Settlement Order"). The basis for the  
25 process was a joint settlement agreement ("*Settlement Agreement*") between and among CenturyLink  
and a coalition of joint CLECs, whose names are listed in the caption of this proceeding.

<sup>5</sup> Decision Nos. 70355, 70747, 72178, 74245, and 74748.

<sup>6</sup> On August 14, 2015, Eschelon Telecom of Arizona, Inc., Mountain Telecommunications, Inc., and  
Electric Lightwave, LLC filed comments stating that they had independently verified the data  
supporting CenturyLink's application and do not oppose the reclassification of the Phoenix Cactus



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5 COPY of the foregoing mailed  
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