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BEFORE THE ARIZONA CORPORATION COMMISSION

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SUSAN BITTER SMITH  
Chairman  
BOB STUMP  
Commissioner  
BOB BURNS  
Commissioner  
DOUG LITTLE  
Commissioner  
TOM FORESE  
Commissioner

Arizona Corporation Commission

DOCKETED

SEP 17 2015

DOCKETED BY

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. 75278

ORDER

Open Meeting  
September 8 and 9, 2015  
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On June 24, 2015, Qwest Corporation dba CenturyLink QC ("CenturyLink") filed a request that the Arizona Corporation Commission ("Commission") approve CenturyLink's 2015 addition to its non-impaired wire center list in accordance with the FCC's *Triennial Review Remand Order* ("TRRO").<sup>1</sup> In the TRRO, the FCC determined that Competitive Local Exchange Carriers ("CLECs")

<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. 04-3 13 (FCC rel. 7 February 4, 2005) (hereafter "Triennial Review Remand Order" or "TRRO").

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

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

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

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

27       5. Eschelon Telecom of Arizona, Inc., Mountain Telecommunications, Inc., and Electric  
28 Lightwave, LLC, all doing business as Integra Telecom (collectively referred to as “Integra”) provided

1 comments to CenturyLink's Application on July 24, 2015. In its comments Integra stated it received  
2 from CenturyLink on June 30, 2015, the highly confidential information CenturyLink had filed in  
3 support of its application. Integra further stated that it had begun a data verification process but as of  
4 the date of its comments, it had been unable to complete its examination. Therefore, Integra objected  
5 to CenturyLink's wire center reclassification request and requested two additional weeks to complete  
6 its verification of the confidential data. On August 14, 2015, Integra filed additional comments  
7 indicating it had completed its verification process, was withdrawing its objection to the  
8 reclassification request and did not oppose reclassifying Phoenix Cactus (PHNXAZCA) wire center  
9 from a Tier 2 wire center to a Tier 1 wire center.

10 6. This matter is uncontested. Therefore, Staff has recommended approval of  
11 CenturyLink's 2015 addition to its non-impaired wire center list.

#### 12 CONCLUSIONS OF LAW

13 1. CenturyLink is an Arizona public service corporation within the meaning of Article  
14 XV, Section 2 of the Arizona Constitution.

15 2. The Commission has jurisdiction over CenturyLink and over the subject matter of this  
16 application.

17 3. The Commission having reviewed the Application and Staff's Memorandum dated  
18 August 25, 2015, concludes that approval of CenturyLink's 2015 addition to its non-impaired wire  
19 center list is reasonable, fair and equitable and therefore in the public interest.

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ORDER

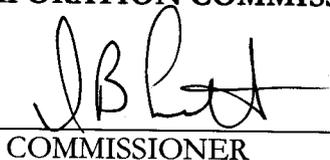
IT IS THEREFORE ORDERED that the following wire center shall be added to the list of non-impaired wire centers:

Wire Center	CLLI	Tier	Non-Impairment for
Phoenix Cactus	PHNXAZCA	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 17<sup>th</sup> day of September, 2015.



JODI JERICH  
EXECUTIVE DIRECTOR

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

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

TMB:MAC:red\MAS

1 SERVICE LIST FOR: DIECA COMMUNICATIONS DBA COVAD COMMUNICATIONS  
COMPANY, ET AL.

2 DOCKET NOS. T-03632A-06-0091 et al.

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9 Bedminster, New Jersey 07921

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17 Ms. Stephanie D. Marsh  
18 McLeod USA Telecommunications Services,  
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24 Mr. Brad VanLeur  
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- 1 Mr. Michel Singer-Nelson  
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- 15 Ms. Janice M. Alward  
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- 19 Mr. Dwight Nodes  
Chief Administrative Law Judge, Hearing
- 20 Division
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