



**Jason D. Topp**  
Associate General Counsel - Regulatory  
(651) 312-5364

August 29, 2016

Mr. Daniel P. Wolf  
Executive Secretary  
Minnesota Public Utilities Commission  
121 7th Place East, Suite 350  
St. Paul, MN 55101

**Re: In the Matter of the Petition of CenturyLink QC to be Regulated  
Pursuant to Minn. Stat. § 237.025: Competitive Market Regulation  
Docket No. P-421/AM-16-496**

**Repository for “Highly Sensitive Trade Secret Information: Subject to  
Additional Protection in Docket No. 16-496  
Docket No. P-421/AM-16-547**

Dear Mr. Wolf:

Enclosed for filing are Qwest Corporation dba CenturyLink QC’s Reply Comments and Comments on the Completeness of its Petition regarding the above-referenced matter.

Please note that Exhibit RHB-15 to the Second Affidavit of Robert Brigham contains Highly Sensitive not public information and should be placed in Docket No. P-421/AM-16-547.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jason D. Topp".

Jason D. Topp

JDT/bardm  
Enclosure  
cc: Service List

200 South 5<sup>th</sup> Street, Room 2200  
Minneapolis, MN 55402

[www.centurylink.com](http://www.centurylink.com)



**HIGHLY SENSITIVE NOT PUBLIC/PRIVILEGED INFORMATION  
CLASSIFICATION RATIONALE**

**State:** Minnesota

**Description/Title of Information:** In the Matter of the Petition of CenturyLink QC to be Regulated Pursuant to Minn. Stat. § 237.025: Competitive Market Regulation  
**Docket No. P-421/AM-16-496**

**Repository for “Highly Sensitive Trade Secret Information: Subject to Additional Protection in Docket No. 16-496  
Docket No. P-421/AM-16-547**

**Rationale:** Exhibit RHB-15 to the Second Affidavit of Robert Brigham contain information that is considered Highly Sensitive Not Public because (1) CenturyLink makes reasonable efforts to ensure its privacy and (2) the data derives actual or potential independent economic value because the information is not generally known to, and not being readily ascertainable by proper means by, other persons who can obtain value from its disclosure or use. For this reason, the Exhibit RHB-15 to the Second Affidavit of Robert Brigham should be protected from public disclosure.

**STATE OF MINNESOTA  
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION**

Beverly Jones Heydinger  
Nancy Lange  
Dan Lipschultz  
Matt Schuerger  
John Tuma

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

**In the Matter of the Petition of  
CenturyLink QC to be Regulated  
Pursuant to Minn. Stat. § 237.025:  
Competitive Market Regulation**

**Docket No. P-421/AM-16-496**

**QWEST CORPORATION DBA CENTURYLINK QC'S REPLY COMMENTS AND  
COMMENTS ON THE COMPLETENESS OF ITS PETITION**

**AUGUST 29, 2016**

**TABLE OF CONTENTS**

	<u>Page</u>
I. CenturyLink QC will continue to have the obligation to serve customers if this petition is approved under Minn. Stat. § 237.025, Subdivision 4(1). ....	2
II. OAG and Department of Commerce questions are misplaced .....	4
III. CenturyLink QC’s Petition is Complete and Meets all of the requirements of the statute.....	8
A. CenturyLink QC provided “a list of exchange service areas in which the local exchange carrier is seeking to be regulated under this section.” .....	9
B. CenturyLink QC has identified “the local services offered by the local exchange carrier in each exchange service area” .....	10
C. CenturyLink QC has provided “a list of competitive service providers in each exchange service area;” .....	11
D. CenturyLink QC provided “a description of affiliate relationships the petitioning local exchange carrier has with any provider of local service in each exchange service area.” .....	13
E. CenturyLink QC provided the best available documentation demonstrating the local exchange carrier's loss of local voice service customers to unaffiliated competitive service providers in each exchange service area over, at a minimum, the previous five years. ....	14
F. Evidence demonstrating that the local exchange carrier satisfies the competitive criteria under subdivision 4 in each exchange service area. ....	17
1. CenturyLink QC serves less than 50% of households in each Exchange Service Area. ....	18
2. More than 60% of households have service available from a Competitive Service Provider. ....	18
G. Because there was no request for additional information, CenturyLink QC complied with its obligation to include “any other information requested by the commission that is relevant to the applicable competitive criteria under subdivision 4.”.....	22
H. CenturyLink QC Has Filed a Complete Petition. ....	24
IV. Because the Department and OAG Have Filed Objections to the Petition, Disputes Regarding Whether or Not CenturyLink QC Meets the Statutory Criteria Must Be Resolved By December 27, 2016.....	24
V. The Commission should follow the process set forth in statute for resolving this petition.....	24
VI. Supplemental Information to Support Petition .....	25
A. CenturyLink serves less than 50% of the households in each exchange service area. ....	26
B. At least 60% of households in each exchange area can choose voice service from an unaffiliated competitive service provider .....	27

C. CenturyLink QC will make its raw data available if the Commission or other agency wishes to recalculate its assignment of households to wire centers and exchange areas. ....28

D. The wireless coverage maps used in the petition are consistent with several other sources providing similar information. ....29

VII. Conclusion.....30

On July 6, 2016, the Commission issued a Notice of Comment Period Regarding Petition that asked for comment on the following issues:

- Has CenturyLink submitted all documentation as required by Minn. Stat. §237.025?
- Are there objections to CenturyLink’s petition, in general, or for any particular exchange or exchange service area?
- Are there any questions of fact that would require referral to the Office of Administrative Hearings?
- Are there other concerns that the Commission should address?

On August 22, 2016, the Commission issued an additional Notice of Comments asking for comments on whether or not Qwest Corporation d/b/a CenturyLink QC’s (“CenturyLink QC”) petition is complete. These comments address the issues raised in both Notices.

The Department of Commerce (“Department”) and the Office of Attorney General (“OAG”) (together, “Agencies”) have filed extensive comments questioning the accuracy or sufficiency of certain information CenturyLink QC provided in its petition in this docket. They then try and shoehorn those allege that the questions they raise on accuracy or sufficiency demonstrate that CenturyLink QC’s petition is “incomplete” and that the Commission should not consider the 180 day time period provided for in Minn. Stat. § 237.025 to have begun with CenturyLink QC’s filing on June 30, 2016. The Agencies’ arguments misread the relevant statute, confuse the distinction between completeness and sufficiency, and should be summarily rejected.

CenturyLink QC filed a petition that fully meets the completeness requirements set forth in statute.<sup>1</sup> The issues raised by the Department and the OAG are, for the most part, appropriate for the Commission to consider when making a determination of whether or not CenturyLink QC's petition should be granted, and those issues should be resolved by a proceeding as provided for by Subd. 3 of the statute. As a part of that process, the Commission is entitled to ask for "additional information from [CenturyLink QC] and other service providers under the commission's jurisdiction that provide service in the relevant exchange area."<sup>2</sup> The statute clearly does not contemplate that all issues—such as whether CenturyLink has met the criteria in § 237.025 Subdivision 4(1)—must be unequivocally resolved before a petition is deemed complete. If that were the case, there would be no need for the 180 day review period. These reply comments address the completeness of CenturyLink QC's petition as well as a number of other issues raised in the Agencies' comments.

**I. CenturyLink QC will continue to have the obligation to serve customers if this petition is approved under Minn. Stat. § 237.025, Subdivision 4(1).**

Before turning to the petition itself, it is critical to deal with an unwarranted assertion by the OAG that granting relief in this proceeding will eliminate the obligation to serve customers. This assertion directly contradicts the plain language of the statute.

In one of many red-herrings sprinkled throughout its comments, the OAG claims that relief under Minn. Stat. § 237.025, Subdivision 4(1) "does not require the carrier to continue

---

<sup>1</sup> The OAG belittles the petition as containing a 7 page petition and a 12 page affidavit. OAG Comments, 5. This viewpoint ignores the 54 pages of attachments and hundreds of pages of online tariff materials providing the data supporting the petition. Furthermore, the appropriate question is whether or not the petition meets the requirements of the statute, quantity is irrelevant,

<sup>2</sup> Minn. Stat. § 237.025, Subd. 3(f).



to offer basic local service.”<sup>3</sup> In making this claim, the OAG ignores the difference between the criteria for obtaining relief in Subdivision 2 with the plain language of the statute that governs the effect of a successful petition:

Subd. 9. Obligation to serve.

Nothing in this section affects the obligation of a local exchange carrier that petitions the commission to be regulated under this section to provide service to customers, when requested, in accordance with this chapter, commission rules, and its duly authorized tariffs.

Granting relief in this proceeding does not present a risk to residential customers. In fact, consumer protection was a critical component in the negotiation of the language of this statute with broad participation and eventual support by consumer groups (including Legal Services Advocacy Project and AARP), the Department of Commerce and industry representatives. Based on these negotiations, significant consumer protection language was added to the statute, including:

Subdivision 6, which clarifies that nothing in the section exempts the provider from consumer protection provisions in Chapter 237 and Commission Rules;

Subdivision 8, which provides price and service requirements for basic local service; and

Subdivision 9, which maintains existing obligations to serve.

In fact, these provisions were added to the statute to specifically address concerns that the Attorney General and others, including Legal Services and AARP, raised in 2015.<sup>4</sup> The

---

<sup>3</sup> OAG Comments, 4.

<sup>4</sup> Compare HF 1066, 1<sup>st</sup> Engrossment from March of 2015 [https://www.revisor.mn.gov/bills/text.php?number=HF1066&version=1&session=ls89&session\\_year=2015&session\\_number=0](https://www.revisor.mn.gov/bills/text.php?number=HF1066&version=1&session=ls89&session_year=2015&session_number=0) with the final version of the bill posted on May 5, 2016 [https://www.revisor.mn.gov/bills/text.php?number=HF1066&version=2&session=ls89&session\\_year=2015&session\\_number=0](https://www.revisor.mn.gov/bills/text.php?number=HF1066&version=2&session=ls89&session_year=2015&session_number=0) (adding sections addressing consumer protection).

OAG's suggestion that these obligations would be eroded if CenturyLink's Application is granted is patently false and should be rejected.

## **II. OAG and Department of Commerce questions are misplaced**

The Agencies devote a significant portion of their comments to arguments that CenturyLink QC's petition is incomplete and the Commission should not consider the petition complete until all of the information the Agencies would like to obtain in this proceeding is filed with the Commission. These arguments have no merit. The statute provides a stark demarcation between information that must be filed with the petition, contained in Subdivision 2, and the criteria for granting the petition in Subdivision 4. In analyzing whether or not CenturyLink QC's petition is complete, the Commission may only consider the list of required items set forth in Subdivision 2 and determine whether or not CenturyLink QC provided the information identified in this list. The Commission may not, as the OAG suggests, analyze whether the petition "includes all of the information necessary for the Commission to analyze whether [CenturyLink QC] has met its burden to meet the competitive criteria listed in the statute."<sup>5</sup> The statute contemplates further proceedings to consider the merits of the petition and provides the Commission with the opportunity to request additional information to make its final decision as to whether or not CenturyLink QC has demonstrated it has met the standard for relief under Subdivision 4.<sup>6</sup>

Pages 14 and 15 of the OAG comments identify items that it claims are required for a complete petition. A simple review of that lists shows that the OAG's issues have nothing to do with the completeness of the petition.

---

<sup>5</sup> OAG Comments, 11.

<sup>6</sup> Minn. Stat. § 237.025, Subd. 3(d)-(f).

- “Does CenturyLink QC’s use of census data to identify housing units accurately match its wire center/exchange boundaries?”

This issue relates to the merits and not the completeness of the petition. CenturyLink QC used publicly available census bureau databases and standard software for assigning households to wire centers. If the OAG wishes to run the data on its own and has access to the appropriate software, CenturyLink QC will make the raw data it used available.

- “Is CenturyLink QC’s analysis of the availability of competitive service providers reasonable? Is it comparable to its analysis of households to which it provides voice service?”

This issue might relate to the merits of its petition but not to whether or not the petition is complete.

- “Is CenturyLink QC’s assumption that customers who do not receive voice service from CenturyLink QC must receive voice service from other competitive market providers such as wireless or VoIP reasonable?”

This question misstates CenturyLink QC’s position and relates to the merits of the petition rather than its completeness. The statutory standard is whether or not “at least 60 percent of households in the exchange service area can choose voice service from at least one additional unaffiliated competitive service provider.” Thus the standard relates to *availability* of service rather than the actual service provider. A very high percentage of customers receiving service elsewhere get them from competitive service providers. There can be no doubt that the number of customers with service available from another provider is much higher than the number of customers such providers actually serve. Thus, CenturyLink QC asserts that the number of customers obtaining service from other providers is a significant piece of information that demonstrates that the 60% standard has been met.

- Does the proprietary Alteryx software used by CenturyLink QC to assign census data to wire centers along with other analytics incorporate sound data sources, reasonable assumptions, and established formulae in its analysis?

This question relates to the merits of the petition rather than completeness.

- Is the proprietary Sharetracker analysis that CenturyLink QC uses reasonable to rely upon for estimates of cable voice penetration?

This question relates to the merits of the petition rather than to whether or not it is complete. CenturyLink QC's petition does not rely upon Cable Penetration as demonstrating competition alone but as an additional factor the Commission should consider in determining whether or not the statutory standard has been met.

- What impact do the business customers with three or fewer access lines that are served by CenturyLink QC's affiliate CenturyLink Communications LLC have on the threshold question of whether CenturyLink QC serves fewer than 50 percent of households?

This question relates to the merits of the petition rather than its completeness.

- Is the billing data used by CenturyLink QC to show historical residential access line loss a reasonable measure of loss of market share?

This question is irrelevant to the Commission decision in this matter. Subdivision 2 specifically requires that CenturyLink QC demonstrate that "it serves fewer than 50 percent of the households in an exchange service area." The relevant facts for this determination are the number of households in each exchange service area and the percentage of those households that CenturyLink QC serves.

- Was the method used by CenturyLink QC to identify business customers with three or fewer basic business lines reasonable?

This question relates to merits rather than completeness.

- Do the maps of wireless coverage developed by CenturyLink QC demonstrate that at least 60 percent of households have access to wireless voice service?<sup>7</sup>

Once again this question relates to merits of the petition rather than whether or not the petition is complete. CenturyLink QC did not develop these maps. They were pulled from materials generated by the providers themselves. Their accuracy is supported by Minnesota Government information about the availability of mobile wireless broadband which was independently created and can be viewed at <http://map.connectmn.org> by clicking on the Maps/Data tab and then choosing the mobile wireless broadband option off the menu. A similar national data set can be pulled from the National broadband map, <http://www.broadbandmap.gov/technology> . The maps identify areas in the state as having Mobile wireless broadband available at 4 megabit download speeds and 1 megabit upload speeds. Where a customer can get wireless broadband service she can also get wireless voice service. The maps likely even understate the areas in which voice service is available because most cases voice service requires a connection speed of less than 200kb per second, or about a 20 times weaker signal than a broadband connection.

Some of these questions may be relevant to the issues in this proceeding, and may be considered by the Commission in determining whether or not CenturyLink's petition should be granted. However, these questions focus on the accuracy of the data and the appropriateness of the assumptions that underlie the data that CenturyLink QC has submitted in support of its petition. These questions are not relevant to the question of whether or not CenturyLink QC's petition is complete.

---

<sup>7</sup> OAG comments, 14-15.

The Department also lists a number of concerns it has with the accuracy of the data CenturyLink QC has filed.<sup>8</sup> Those concerns should be resolved in the proceeding on the merits rather than through the preliminary question of whether or not the petition is complete.

**III. CenturyLink QC's Petition is Complete and Meets all of the requirements of the statute.**

Reviewing the objections raised by the OAG and the Department against the requirements of the statute demonstrates that CenturyLink QC's petition is complete and meets the requirements for a petition under Subdivision 2.

Minn. Stat. § 237.02(b) sets forth a list of information that must be included with a petition:

- (1) a list of exchange service areas in which the local exchange carrier is seeking to be regulated under this section;
- (2) the local services offered by the local exchange carrier in each exchange service area;
- (3) a list of competitive service providers in each exchange service area;
- (4) a description of affiliate relationships the petitioning local exchange carrier has with any provider of local service in each exchange service area;
- (5) documentation demonstrating the local exchange carrier's loss of local voice service customers to unaffiliated competitive service providers in each exchange service area over, at a minimum, the previous five years;
- (6) evidence demonstrating that the local exchange carrier satisfies the competitive criteria under subdivision 4 in each exchange service area; and
- (7) other information requested by the commission that is relevant to the applicable competitive criteria under subdivision 4.

---

<sup>8</sup> Department Comments, 6-8.

The Commission should interpret these requirements in light of the position in which they appear in the statute. The statute indicates that a petition “must include” each of these items, even if they are not central to determining if the petition meets the requirements for relief under Subdivision 4(1). The fact is, much of the data required in Subd. 2(b) is only relevant if a petitioner is filing an application for relief under Subd. 4(2), which CenturyLink is not. The requirements only work if the petitioner knows what that information is at the time of filing, and the petitioner is not subject to the types of expansive statutory interpretation made by the Department and the OAG.

The requirement for a petition to include “other information requested by the Commission” in Minnesota Statutes §237.025, subd. 2 (7) recognizes that the Commission may adopt rules or issue an order providing specific guidance to potential petitioners if it wants petitions to include information beyond that specifically listed in the statute. However, the Commission may not reject a petition as incomplete on the basis of its failure to include information the petitioner was never notified was necessary.

Nonetheless, these reply comments will demonstrate that each statutory requirement in Subd. 2(b) has been met. The Agencies’ suggestions to the contrary are without merit.

**A. CenturyLink QC provided “a list of exchange service areas in which the local exchange carrier is seeking to be regulated under this section.”<sup>9</sup>**

CenturyLink QC clearly has met this requirement, which merely requires a list of local exchange areas. Exhibit RHB-1 to the Brigham Affidavit contains a list of 108 exchanges and correlates those local exchange areas with more granular wire centers that sometimes are combined to be considered one local exchange area. The OAG comments

---

<sup>9</sup> Minn. Stat. § 237.025, Subd. 3(a).

raise concerns about the data contained in the affidavit and raise concerns about the use of proprietary software to calculate some of the data.<sup>10</sup> It is unclear whether or not the OAG is arguing that the petition is incomplete with respect to this requirement but any such objection would be meritless. The statute merely requires a list of exchange areas.

**B. CenturyLink QC has identified “the local services offered by the local exchange carrier in each exchange service area”<sup>11</sup>**

The OAG and the Department allege that CenturyLink QC failed to meet this requirement because, instead of producing lists of the products available for each exchange, it provided a link to its tariffs, which fully list all of the local services offered in each exchange area.<sup>12</sup> The statute does not require a newly created “list,” apart from petitioner’s duly authorized tariffs. Indeed, it seems bizarre that the Agencies do not believe CenturyLink QC’s tariffs accurately set forth “the local services offered by [CenturyLink QC] in each exchange service area.” Finally, neither the OAG nor the Department explains how such a newly created list would bear any relationship to the Commission’s decision in this proceeding.

CenturyLink QC’s tariffs provide the most accurate description of the services it offers and where it offers them. Unless the tariffs indicate otherwise, CenturyLink QC offers the same services in every single exchange.<sup>13</sup> The tariffs contain lists of the services offered as well as descriptions of each service. To require some different list of each local service offered in each exchange would amount to a needless waste of reams of paper to serve no legitimate purpose.

---

<sup>10</sup> OAG Comments, p. 6.

<sup>11</sup> Minn. Stat. § 237.035, Subd. 3(a)(2)

<sup>12</sup> OAG Comments, 7, Department Comments, 4.

<sup>13</sup> Exceptions include items like Extended Area Service which vary by exchange pursuant to Commission Orders.



To the extent the requirements for basic local service are relevant to this inquiry, CenturyLink QC provides all such services in all 108 Exchange service areas and the tariffs make clear that CenturyLink QC does so.<sup>14</sup> CenturyLink QC has met both the letter and the spirit of this requirement for a complete petition.

**C. CenturyLink QC has provided “a list of competitive service providers in each exchange service area;”**

CenturyLink QC is required to provide “a list of competitive service providers in each exchange service area.” Exhibit RHB-7 to the Brigham Affidavit contains a list of competitive service providers. The Agencies argue that CenturyLink QC has failed to meet this requirement because it acknowledges that its lists may be incomplete.<sup>15</sup> In doing so the Department misstates the standard as requiring a list of “*all* competitive service providers is to be submitted.<sup>16</sup>” However, under the statute, CenturyLink QC is *not* required to provide a list of “all” competitive providers.

Neither agency explains why the possible omission of one or more competitive service providers would inhibit the Commission’s ability to examine and resolve CenturyLink QC’s petition. Furthermore, imposing such a requirement would amount to placing an impossible hurdle to allowing a petitioner to submit a complete application.

The statute defines competitive service provider as follows:

(a) Except as otherwise provided in this subdivision, a "competitive service provider" means:

- (1) a wireless voice service provider; or
- (2) any other provider of local voice service who owns a substantial proportion of the last-mile or loop facilities delivering service to a majority of

---

<sup>14</sup> CenturyLink QC local Tariff No. 1, §§ 2, 5 and 10. [http://www.centurylink.com/tariffs/mn\\_qc\\_ens\\_t\\_no\\_1.pdf](http://www.centurylink.com/tariffs/mn_qc_ens_t_no_1.pdf)

<sup>15</sup> OAG Comments, . 7-8; Department Comments, 4.

<sup>16</sup> Department Comments, p. 4. (Emphasis added).

households in an exchange service area, without regard to the technology used to deliver the service.

"Competitive service provider" does not include:

(i) a provider using satellite technology;

(ii) a wireless voice service provider who resells voice services purchased at wholesale;

(iii) a competitive local exchange carrier, as defined in Minnesota Rules, parts 7811.0100, subpart 12, and 7812.0100, subpart 12, who does not own a substantial proportion of the last-mile or loop facilities over which they provide local voice service;

(iv) an over-the-top VOIP provider; or

(v) a local exchange carrier petitioning to be regulated under this section or any affiliate of the petitioning local exchange carrier.

Outside of wireless and cable providers, much of the information necessary to determine whether a particular provider qualifies as a “competitive service provider” under the statute is not available to CenturyLink QC or any other local exchange carrier. The precise ownership of facilities is highly sensitive proprietary information not available to other carriers. Therefore, it is impossible in many instances to determine whether or not a carrier “owns a substantial portion of the last-mile or loop facilities over which they provide local voice service.” CenturyLink QC has provided a list of the providers that it knows meets the definition. It has also identified other providers that it knows meet the definition in certain instances but for which it cannot determine whether or not the carrier meets the requirement in a particular exchange.

CenturyLink QC’s information meets the requirements of the statute which requires “a list of competitive service providers in each exchange area.”<sup>17</sup> It does not require the petition to include a comprehensive list. The OAG acknowledges that “while the statute does not explicitly require that every competitive exchange provider in each exchange service area be listed,” nonetheless, “it is not clear that a petitioning carrier can meet this

---

<sup>17</sup> Minn. Stat. §237.025, subd. 2(b) (3).

requirement by including a self-selected sample of what it determines to be competitive service providers.”<sup>18</sup> The OAG’s argument is nonsensical. To the extent additional providers exist in each local exchange area, CenturyLink QC’s argument that it is entitled to relief could only be strengthened. More customers would have service available from a competitive service provider and CenturyLink QC’s argument that more than 60% of the customers in each exchange have an alternative would be enhanced.

The Commission should encourage companies petitioning for relief under this statute to be conservative in identifying competitive service providers. Such an approach provides the right balance of incentives because the petitioning company has every incentive to list as many competitive service providers in each exchange that it can identify. To the extent it fails to identify any carriers, such a failure only has the effect of reducing the evidence the petitioning carrier has identified to prove that its petition should be granted.<sup>19</sup>

CenturyLink QC has met its obligation to provide a list of competitive local service providers under Minn. Stat. § 237.025 subd. 2(b) (3).

**D. CenturyLink QC provided “a description of affiliate relationships the petitioning local exchange carrier has with any provider of local service in each exchange service area.”**

CenturyLink QC’s petition identifies and describes its affiliate relationship with CenturyLink Communications LLC.<sup>20</sup> The OAG does not appear to argue that CenturyLink QC’s petition is deficient in meeting the statutory requirement to include such

---

<sup>18</sup> OAG Comments, 7-8.

<sup>19</sup> Requiring a petitioning company to list all competitive service providers also raises issues to the extent that the petitioning carrier provides wholesale service to CLECs. Such wholesale information could theoretically be used to try and identify additional competitive service providers but use of such data would raise significant concerns under federal law and state commission rulings regarding the appropriate use of wholesale carrier information. *See* 47 U.S.C. 222.

<sup>20</sup> Affidavit of Robert Brigham, ¶ 17.

information in the petition,<sup>21</sup> but the Department seems to suggest the petition is deficient because of the manner in which such lines are counted or on the question of whether the affiliate, CenturyLink Communications LLC (“CLC”) is providing underlying network facilities to either a competitive service provider or to an entity that does not qualify as one.<sup>22</sup>

This position is without merit. CenturyLink QC’s petition provides a description of its affiliate relationship with CLC. The statute requires nothing more. Additional information about that relationship has been provided in discovery and can be provided in this proceeding.<sup>23</sup> Regardless, such information is irrelevant with respect to the question of whether or not the petition is complete. The statute does not require that a petitioning carrier provide such information.<sup>24</sup>

**E. CenturyLink QC provided the best available documentation demonstrating the local exchange carrier's loss of local voice service customers to unaffiliated competitive service providers in each exchange service area over, at a minimum, the previous five years.**

Both the OAG and the Department are particularly critical of CenturyLink QC’s petition because attachment RHB-8 identifies access lines lost over the period from 2000 to the present and does not specifically tie that access line loss to unaffiliated competitive service providers.<sup>25</sup> Of course when a customer disconnects CenturyLink service, the

---

<sup>21</sup> OAG Comments, 9

<sup>22</sup> Department Comments, 4-5.

<sup>23</sup> CenturyLink QC has described the services its affiliate provides to large business customers, but does serve a very limited number of small business customers. CLC does not provide services to residential customers. CenturyLink also has confirmed that CLC does not provide wholesale or resale services to any CLEC. *See* Second Affidavit of Robert Brigham, ¶ 7 and Exhibit RHB-15.

<sup>24</sup> Minn. Stat. § 237.025., subd 2(b) (4). These issues are also largely irrelevant to the question of whether or not CenturyLink QC’s petition should be granted. The number of households identified as being served in by CenturyLink Communications LLC that are relevant to the criteria for relief are so miniscule so as to have no impact on the statistics. Furthermore, whether or not CenturyLink QC provides underlying facilities to serve such customers is completely irrelevant to the question of either the percentage of households it serves or the number of households that have service available from competitive service providers. Affiliates are specifically excluded from the definition of competitive service provider. Minn. Stat. § 237.025, Subd. 1(a) (2) (v).

<sup>25</sup> OAG Comments, 9-10; Department Comments, 5-6.

company does not know the carrier from which the customer may obtain a substitute voice service, as customers are not required to inform CenturyLink of their new provider when they disconnect. So the false standard erected by the Department and OAG is not possible to meet, but more importantly, is irrelevant to determining if the statutory standard is met. It is clear that when customers leave CenturyLink, nearly all such customers are not giving up phone service, but are instead moving to another provider, as demonstrated in Mr. Brigham's affidavit.

Further, the comments of the OAG and Department ignore several pieces of information that provide CenturyLink QC's best estimate of those numbers. Exhibit RHB-2 identifies the number of residential households in each wire center that do not have service from CenturyLink QC. Exhibit RHB-3 adds in small business premises purchasing three or fewer lines and assumes that CenturyLink QC serves 100% of such customers, an assumption that adversely affects its calculation of the percentage of households it serves. Exhibit RHB-4 provides the percentage of households in each wire center that it estimates actually receive service from an unaffiliated competitive voice provider which is a more stringent standard than the statute which only requires that service be available from such a provider. Exhibit RHB-5 provides wireless coverage maps that identify where wireless providers advertise that their service is available. Exhibit RHB-6 provides CenturyLink QC's best estimate as to the number of households served by cable providers (estimates that neither the cable association nor any cable provider has disputed). Exhibit RHB-7 identifies known competitive service providers in each wire center.

CenturyLink QC has provided the best information it has about the lines it has lost and the lines that have been picked up by competitive service providers. As the filing by the

Minnesota Cable Association seeking an extremely restrictive protective order demonstrates, carriers ferociously protect their highly sensitive competitive information and dispute whether or not the Commission can even have access to such information. To require CenturyLink QC to somehow obtain such information and provide it with its petition would set an impossibly high bar and lead to the absurd result that a petition could never in a practical sense be complete. The legislature did not intend such a result and, in fact, state law prohibits interpreting a statute in such a fashion that would lead to such a result.<sup>26</sup> CenturyLink QC's petition meets the requirements of Minn. Stat. §237.025, Subd. 2(b) (5).

The Department also advances an argument that CenturyLink QC's data is erroneous.<sup>27</sup> The errors it identifies are from 2005 data included in Exhibit RHB-8. First of all, CenturyLink corrected the 2005 data for these few wire centers in response to Department Data request 17. But even more importantly, the 2005 data falls well before the five year time period provided for in the statute. The Department does not identify any errors in 2010 or in 2015. It argues, however, that "CenturyLink has not demonstrated that the number of local service customers receiving service in each exchange can be relied upon at this time."<sup>28</sup> While the Department can certainly make such an argument concerning the merits of CenturyLink QC's petition if it chooses, this argument provides no basis for the Commission to conclude that the petition is incomplete. CenturyLink QC has presented

---

<sup>26</sup> *Wegener v. Commissioner of Revenue*, 505 N.W.2d 612, 617 (Minn. 1993). "While we recognize our obligation to follow the plain meaning of the words of a statute when they 'are sufficient in and of themselves to determine the purpose of the legislation,' [United States v. American Trucking Ass'n](#), *supra*, we are equally obliged to reject a construction that leads to absurd results or unreasonable results which utterly depart from the purpose of the statute." See Minn. Stat. § 645.16 (requiring that where the language of a statute is susceptible to multiple interpretations the intention of a statute be ascertained by considering issues like the consequences of a particular interpretation and the occasion and necessity of the law).

<sup>27</sup> Department Comments, 5-6.

<sup>28</sup> Department Comments, 6.

evidence of the lines it has lost.<sup>29</sup> If the Department has evidence that this calculation is incorrect, it has every opportunity to present such evidence as this proceeding goes forward on the merits. The Commission also has the right to request additional information from CenturyLink QC to further examine the accuracy of its data.<sup>30</sup>

**F. Evidence demonstrating that the local exchange carrier satisfies the competitive criteria under subdivision 4 in each exchange service area.**

Both the Department and the OAG argue that CenturyLink QC's petition fails to meet the requirement of providing evidence demonstrating that it meets the competitive criteria set forth in Subdivision 4(1). Once again, such arguments should be reserved for the process of resolving whether or not the petition should be granted rather than the question of whether the petition was complete. CenturyLink QC has filed all information required by statute, as discussed above, and the Commission did not indicate any further requirements beyond those set forth in statute. Thus, the petition is complete.

As this proceeding moves forward, the Company has the right to file comments on the merits in this proceeding and to provide additional information in support of its petition. To the extent the Agencies seek additional information from CenturyLink QC, they can issue discovery. Finally, to the extent the Commission now desires additional information on any of the relevant issues raised by the petition, it can request such information as provided in Minn. Stat. §237.025, subd. 3 (f).

While the Company's petition is complete as submitted, to address some of the "merits" based issues already raised by the Agencies, CenturyLink QC provides the

---

<sup>29</sup> Brigham Affidavit, Exh. RHB-8.

<sup>30</sup> Minn. Stat. § 237.025, Subd. 3(f).

following discussion demonstrating how it satisfies the competitive criteria under Minn. Stat. §237.025, subd. 4 in each exchange service area included in the petition.

**1. CenturyLink QC serves less than 50% of households in each Exchange Service Area.**

CenturyLink QC has presented evidence showing that it serves less than 39% of households in every exchange included in the petition.<sup>31</sup> If the Department has evidence that this calculation is incorrect, it has every opportunity to present such evidence as this proceeding goes forward on the merits. The Commission also has the right to request additional information from CenturyLink QC to further examine the accuracy of its data.<sup>32</sup> In any case, CenturyLink QC's data would need to be off by a minimum of 22% (in other words, it would have to serve 22% more customers than its billing records indicate it serves) in order for any adjustments to make an impact on the conclusion the Commission should reach. CenturyLink QC pulled its data from customer billing records. The number of households that exist in each wire center is data that can be calculated from the US census bureau using software like Alteryx. The likelihood that such data is understated by 22% is remote at best.

**2. More than 60% of households have service available from a Competitive Service Provider.**

CenturyLink QC identifies several pieces of evidence to establish that more than 60% of customers in each wire center have an option to purchase local voice service from a competitive service provider. The most powerful evidence addressing the issue is CenturyLink QC's evidence of the percentage of lines it serves in each exchange. In every single wire center, CenturyLink QC is providing voice service to less than 39% of

---

<sup>31</sup> Brigham Affidavit, Confidential Exhibit RHB-2.

<sup>32</sup> Minn. Stat. §237.025, Subd. 3(f).



households. Other than a very small percentage not purchasing voice service from any provider, the remaining households not only have service available from an alternate provider, they are actually purchasing service from another provider. In nearly every such instance, that option will be a competitive service provider (such as a cable or wireless provider or more likely both). In some cases, a customer with a broadband connection may purchase over the top voice over internet protocol service. In this case, the customer may not be purchasing voice service from a competitive service provider but it certainly would have the ability to purchase service from such a provider. For example, that customer would have the ability to purchase voice from its broadband provider. Even if the broadband provider were CenturyLink QC, a customer in an area with broadband availability would almost certainly have access to wireless service, and likely, additional options from the cable company.

CenturyLink QC provides a second piece of evidence – the broadband maps of wireless coverage produced by the major wireless carriers in the state. CenturyLink QC overlaid these maps with its exchange boundaries to show that the wireless companies provide service to the overwhelming majority of households in each exchange area.

The Department argues that the maps should not be considered adequate evidence because CenturyLink QC does not have engineering maps that wireless providers use when obtaining zoning approval for new wireless towers and because of standard disclaimers appearing on such maps.<sup>33</sup> In making this claim the Department falsely asserts that “apparently it [a wireless carrier seeking zoning approval] has to prove that the coverage or

---

<sup>33</sup> Department Comments, 6-8.

lack of coverage justifies doing so.”<sup>34</sup> This position has nothing to do with whether the petition is complete. Furthermore, such a standard would make it impossible for a petitioner to show wireless coverage because engineering maps are proprietary information of wireless carriers over which other providers do not have access. Such an approach would be directly inconsistent with the statute’s mandate that wireless availability be considered in this petition.

CenturyLink QC did not develop the data used for these maps, nor could it. The maps are based on materials generated by the providers themselves that they alone have the data to produce. To the extent the Commission would like additional information on this issue, CenturyLink QC is providing additional data from *Connect Minnesota* and the FCC that show wireless availability in the affidavit attached to these comments. Such information is not necessary to determine whether a petition is complete but it may assist the Commission in determining whether or not this petition should be granted.

Finally, CenturyLink QC’s petition includes estimated customers of Cable Providers by local exchange area produced by Sharetracker. Sharetracker is a third-party data firm that is commonly relied upon in the industry to provide estimates of this type. While such data does not conclusively establish precise market share information, it does provide an additional data point the Commission can take into consideration in making its determination. This information is further supported by *Connect Minnesota* which tracks

---

<sup>34</sup> Department Comments, 7. Zoning Authority is limited by 47 U.S.C. § 332 (c) (7) which places limitations on local zoning authorities in reviewing applications for permits to construct wireless facilities. The statute prohibits a local zoning authority from taking actions that “prohibit or have the effect of prohibiting the provision of personal wireless service” *Id.*, §332(c) (7) (B)(i)(II). If an applicant is arguing that an application is required to be approved by federal law it might use engineering maps to demonstrate that a denial would violate such a restriction.

broadband availability for cable and other wireline providers. Its maps show significant availability of broadband (and therefore voice) in all of CenturyLink QC's 108 exchanges.

Taken together – the number of customers served by other providers, the wireless coverage maps showing availability of wireless services and estimates of the availability of cable voice services in each exchange – present a compelling picture of the availability of voice service from competitive service providers in each CenturyLink QC exchange.

CenturyLink QC's petition meets the requirements of Clause (6) of Minn. Stat. § 237.025.

Issues raised by the OAG and the Department do not change this conclusion. The Department attempts to inject requirements into the statute that do not exist. First, the Department states that “Households served by entities that are not a qualifying competitive service provider are not to be included in the 60% statutory requirement.”<sup>35</sup> This is incorrect. The standard is not whether a customer currently takes service from a competitive service provider, it is whether service from a competitive provider is *available* to the customer. This is a key distinction that the Department simply ignores. Second, the Department suggests that a provider needs to provide all of the services contained in Minn. R. 7812.0600, Subd. 6, in order to qualify as a competitive service provider.<sup>36</sup> Such a requirement is not included in the definition.<sup>37</sup> To the extent the statute addresses the issue, section 237.025 subdivision 8 defines “Basic local service” as 1) single party voice-grade service and touch-tone capability, 2) access to the public switched network, 3) 911 or enhanced 911 access, and 4) TRS capability and access necessary to comply with state and federal regulations. If the Commission imposed additional requirements, it would be contrary to the clear intent of the

---

<sup>35</sup> Department Comments, 5.

<sup>36</sup> Department Comments, 4.

<sup>37</sup> Minn. Stat. §237.025, Subd. 1(a).

statute. Nor can such requirements be implied. A wireless carrier is specifically identified as counting as a competitive service provider in statute.<sup>38</sup> Wireless carriers and CLECs do not have the obligation to provide certain services suggested by the Department. For example, the FCC has recognized “incumbent LEC competitors such as cable and over-the-top VoIP providers do not have to provide equal access or face the costs associated with these obligations.”<sup>39</sup>

**G. Because there was no request for additional information, CenturyLink QC complied with its obligation to include “any other information requested by the commission that is relevant to the applicable competitive criteria under subdivision 4.”**

At the time CenturyLink QC submitted its application, the Commission did not request additional materials be included with that petition. The Department and the OAG urge this commission to interpret the language in Clause (7) of Minn. Stat. § 237, Subd. 2 as meaning that the Commission can request additional information after a petition is filed, for some undetermined period of time, and that the petition should not be considered complete until after that additional information is filed.

---

<sup>38</sup> Wireless providers meet the requirements of the statute. A simple check of Verizon and AT&T’s websites establish that each of the four requirements are met:

**Verizon**

- 1) Obvious. A cell phone is touch tone and numbers are assigned to a single phone.
- 2) Obvious. Unlimited calling is discussed on pages 1 (unlimited talk) and 18 (unlimited anytime minutes). [http://www.verizonwireless.com/dam/support/pdf/collateral/ConsumerBrochure\\_EN\\_7-7-16.pdf](http://www.verizonwireless.com/dam/support/pdf/collateral/ConsumerBrochure_EN_7-7-16.pdf)
- 3) Obvious since wireless users make most 911 calls. Also Page 20 talks about operating in accordance with FCC rules – that require 911 access.
- 4) Yes. <http://www.verizon.com/about/accessibility/device-features-and-apps>

**AT&T**

- 1) Obvious. A cell phone is touch tone and numbers are assigned to a single phone.
- 2) Obvious. Unlimited calling is discussed here – about ¾ of the way down the page, click on “See all important details”. <https://www.att.com/esupport/article.html#!/wireless/KM1009404>
- 3) Obvious since wireless users make most 911 calls.
- 4) Yes. See page at <https://www.att.com/shop/wireless/mobile-accessibility.html> - clicking on “relay call notice” tells users to dial 711 to reach a relay operator through the state provider.

<sup>39</sup> FCC Order 15-166, released 12/28/15 as part of a large forbearance order. [Need cite]

As discussed above, this interpretation leads to an absurd result. It would require information that “must” be included in the petition of which the petitioner is not aware. A petition could be delayed for an indefinite period of time while the commission resolves the question of what additional information it would like to review in making a decision.

More fundamentally, this interpretation ignores the language of the statute. The term “requested” is in the past tense and its use suggests that the Commission make such a request prior to the filing of a petition through rulemaking, by order or by other means. In contrast, Subdivision 3(f) provides: “In reviewing the petition, the commission *may request* additional information from the petitioning local exchange carrier and other service providers . . .” This difference in language demonstrates that the legislature intended a distinction between material that must be filed with a petition (including information the Commission requested prior to the petition being filed) and information the Commission has the discretion to request during the course of the proceeding, after the petition is filed.<sup>40</sup>

To the extent there is any ambiguity in the statute, the authors of the bill, representing both political parties, have made clear that the intent of the legislation was for the Commission to rule on the petition within 180 days its filing and that “information solicited after the submission of a petition should not alter the date on which the 180 day review process begins.”<sup>41</sup>

---

<sup>40</sup> See *ILHC of Eagan, LLC v. Cty. of Dakota*, 693 N.W.2d 412, 419 (Minn. 2005) (“Under the basic canons of statutory construction, we are to construe words and phrases according to rules of grammar and according to their most natural and obvious usage unless it would be inconsistent with the manifest intent of the legislature. [Minn. Stat. § 645.08\(1\)](#) (2004); see *Homart*, 538 N.W.2d at 911. ‘Whenever possible, no word, phrase, or sentence should be deemed superfluous, void, or insignificant.’ *Owens v. Federated Mut. Implement & Hardware Ins. Co.*, 328 N.W.2d 162, 164 (Minn. 1983); [Minn. Stat. § 645.16](#).”); *Scott v. Minneapolis Police Relief Ass’n*, 615 N.W.2d 66, 69 (Minn. 2000) (“because the legislature used the present tense of ‘reside,’ it meant residing at the time of the member’s death.”).

<sup>41</sup> Letter from Senator Dan Sparks and Representative Ron Kresha dated August 18, 2016 (copy attached).

**H. CenturyLink QC Has Filed a Complete Petition.**

CenturyLink QC has complied with its obligation to file all materials required by statute. Its petition is complete and its filing on June 30, 2016 marks the beginning of the 180 day period for Commission review.

**IV. Because the Department and OAG Have Filed Objections to the Petition, Disputes Regarding Whether or Not CenturyLink QC Meets the Statutory Criteria Must Be Resolved By December 27, 2016.**

Both the Department and OAG have objected to CenturyLink QC's Petition and imply (but do not seem to allege) that CenturyLink QC serves more than 50% of the customers in each exchange and that competitors do not make service available to over 60% of customers. Neither set of objections make any distinction between the 108 exchanges CenturyLink QC serves. While it is difficult to comprehend how an exchange in the metro area could be found as not meeting the standard, the Commission has no alternative but to resolve the issue for each exchange. In this proceeding the Commission must consider evidence to determine the answer to the following questions:

1. Does CenturyLink QC serve fewer than 50 percent of the households in the exchange service area?
2. Can at least 60 percent of households in the exchange service area choose voice service from at least one additional unaffiliated competitive service provider?

**V. The Commission should follow the process set forth in statute for resolving this petition.**

The Department and the OAG raise issues related to the accuracy of the data CenturyLink QC has filed with its petition. The statute sets forth the process for the Commission to resolve such issues. Subd. 3 provides that "the commission must provide interested parties and the petitioning carrier an opportunity to comment on the merits of the

petition.<sup>42</sup>” The statute further provides that the commission “may request additional information from the petitioning local exchange carrier and other service providers under the commission’s jurisdiction.<sup>43</sup>” The statute does not contemplate referral of a petition to the Office of Administrative Hearings (“OAH”). Indeed, by establishing a 180 day period for resolution of the petition, the statute does not envision such a referral. In fact, if this petition were referred to OAH, the Commission would need to consider the deadlines for filing exceptions to an Administrative Law Judge’s report of fifteen days,<sup>44</sup> the requirement to allow oral argument on exceptions,<sup>45</sup> and the time period necessary to prepare briefing papers and a Commission Order. In order to meet the statutory deadline for a Commission decision within 180 days, it would likely be necessary to receive a recommended decision from OAH on or before November 1.

CenturyLink QC submits that no such referral is necessary or appropriate. Rather, the Company suggests that the Commission (1) identify additional information it needs to make a decision and request that information within 30 days (October 1); (2) invite comments from parties to this proceeding thirty days later (November 1) and (3) allow reply comments two weeks later (November 15). The Commission would then have approximately a month to make its decision. This approach would be consistent with the statutory process and allow for a Commission decision within the statutory timeframe.

## **VI. Supplemental Information to Support Petition**

In order to expedite this process and to best position the Commission to resolve this petition within the 180 day deadline, CenturyLink QC submits with these comments

---

<sup>42</sup> Minn. Stat. §237.025, Subd. 3(b).

<sup>43</sup> Minn. Stat. §237.025, Subd. 3(d).

<sup>44</sup> Minn. R. 7829.2700, subp. 1.

<sup>45</sup> Minn. R. 7829.2700, Subp. 3, Minn. Stat. §14.61, Subd. 1.

supplemental information addressing the concerns raised by the Agencies. CenturyLink QC files an additional affidavit from Robert Brigham that supplies additional information supporting the accuracy of the wireless coverage maps included with the petition and provides additional detail regarding the manner in which CenturyLink QC assigned housing units to exchange service areas.

**A. CenturyLink serves less than 50% of the households in each exchange service area.**

When evaluating the petition, the Commission should recognize that CenturyLink QC makes an overwhelming showing in favor of granting relief. With respect to the first test – whether CenturyLink QC serves less than 50% of the customers in each exchange service area - Mr. Brigham demonstrates that the maximum number of households it serves in an exchange is 38% and the overwhelming number of exchanges fall well below that figure.<sup>46</sup>

It is doubtful that market share for business customers purchasing three or fewer lines is a relevant calculation under the statute. Subd. 4 defines the criteria as “50 percent of the households in an exchange service area<sup>47</sup>.” Nonetheless, Mr. Brigham’s affidavit presents an estimate of the business locations served by CenturyLink QC with three or fewer lines. He demonstrates that even if the Commission includes such data in its analysis, CenturyLink meets the standard in every exchange in the state.<sup>48</sup>

CenturyLink QC’s data is pulled from its billing records and reflect what is actually billed to customers. Its records are the best evidence of the number of customers it serves.

---

<sup>46</sup> Brigham Affidavit, ¶ 5, Ex. RHB-2.

<sup>47</sup> Minn. Stat. §237.025, Subd. 4(1).

<sup>48</sup> Brigham Affidavit, ¶¶ 6-7, Ex. RHB-3.



Those records exceed the statutory standard by a very significant margin. There can be no doubt that it serves less than 50% of the households in each exchange.

**B. At least 60% of households in each exchange area can choose voice service from an unaffiliated competitive service provider**

The data regarding the second portion of the test – “at least 60% of households in an exchange area can choose voice service from an unaffiliated competitive service provider” is similarly overwhelming. Over 60% of households in each wire center not only have access to competitive service providers but are actually purchasing service from someone other than CenturyLink QC.<sup>49</sup> While some of those customers might be *purchasing* from a provider that does not qualify as a “competitive service provider” the number must be very small. Thus, the competitive data alone is likely sufficient to meet the requirement of demonstrating that the 60% standard is met.

Data regarding market share alone would be sufficient to support a Commission finding that 60% of customers have service available from a competitive service provider, but the Petition provides an independent basis upon which the Commission should be compelled to conclude that the 60% standard is met. Mr. Brigham asserts that “nearly all households in CenturyLink QC’s Minnesota serving area have wireless voice service options.<sup>50</sup>” This assertion is backed up by Wireless coverage maps as well as Center for Disease Control statistics showing that statewide in Minnesota 46% of customers are classified as “wireless-only,” 17.3% of customers are “wireless-mostly,” 19.1% of homes are “dual use” and 10.3% are “landline mostly.” Only 4.6% of homes are “landline only.”

---

<sup>49</sup> Brigham Affidavit, ¶ 9.

<sup>50</sup> Brigham Affidavit, ¶ 10

In other words 92.8% of households have wireless service.<sup>51</sup> The Center for Disease Control has concluded that “wireless-only” households are becoming the norm.<sup>52</sup> These statistics are relatively consistent between rural and urban areas.<sup>53</sup> Thus, the record compels a finding that the 60% standard is met based on wireless service alone.

Finally, service from cable providers provides a third basis that provides support for a finding that the 60% standard has been met. The strongest wireline competitors are cable companies that rely on their own coaxial cable and therefore qualify as competitive service providers. A customer purchasing cable broadband and an over the top VOIP service might not be purchasing voice service from a competitive service provider, but to the extent the customer purchases broadband from a provider other than CenturyLink, such a customer also has voice service available from a competitive service provider.

The evidence that CenturyLink meets the standards set forth in Minn. Stat. §237.025, Subd. 4(1) is overwhelming. It is similar to someone winning a road race by a mile. Data issues raised by the Department and the OAG might adjust that margin by a few feet but the conclusion this Commission should reach is clear.

**C. CenturyLink QC will make its raw data available if the Commission or other agency wishes to recalculate its assignment of households to wire centers and exchange areas.**

---

<sup>51</sup>Please see: [http://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless\\_state\\_201608.pdf](http://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless_state_201608.pdf)

<sup>52</sup><http://thehill.com/policy/technology/261657-cellphone-only-homes-become-the-norm-cdc-survey-finds>

<sup>53</sup> See Blumberg SJ, Luke JV. Wireless substitution: Early release of estimates from the National Health Interview Survey, July–December 2015. National Center for Health Statistics. May 2016, Table 2 (showing a difference of five percent for households that are “wireless-only” nationally) and Table 5 (showing a 2.6% difference in “Wireless-Mostly” households between rural and urban areas). Available from: <http://www.cdc.gov/nchs/nhis.htm>. <http://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless201512.pdf>

The OAG raises a concern that CenturyLink may not have correctly assigned housing units to correct wire centers and exchange areas.<sup>54</sup> CenturyLink QC used census bureau data and assigned that data to wire centers using Experian and Alterix proprietary software. If the Commission, the Department or the OAG wishes to independently verify this information and has access to the appropriate software, CenturyLink QC can make the raw data available.

**D. The wireless coverage maps used in the petition are consistent with several other sources providing similar information.**

The Department and the OAG question the reliability of wireless coverage maps. CenturyLink QC did not develop them. They were pulled from websites generated by the providers themselves shortly before the petition was filed. Their accuracy is supported by Minnesota Government information about the availability of mobile wireless broadband which was independently created and can be viewed at <http://map.connectmn.org> by clicking on the Maps/Data tab and then choosing the mobile wireless broadband option off the menu.<sup>55</sup>

A similar national data set can be pulled from the National broadband map, <http://www.broadbandmap.gov/technology> . The resulting maps identify areas in the state as having Mobile wireless broadband available at 4 megabit download speeds and 1 megabit upload speeds. The maps may understate the areas in which voice service is available because voice services requires a connection speed of 200Kb per second, or about 20 times weaker signal.<sup>56</sup>

---

<sup>54</sup> OAG Comments, p. 6.

<sup>55</sup> See Second Affidavit of Robert Brigham, August 29, 2016 (Second Brigham Affidavit), ¶4, Exhibit RHB-9.

<sup>56</sup> Voice service requires a connection speed of less than 200kb per second, which is about a 20 times less than the 4/1 broadband connection.


In addition, the coverage maps are consistent with wireless coverage maps generated by the Federal Communications Commission using Form 477 Data.<sup>57</sup> These maps, which are publicly available, represent the data that wireless carriers have provided to their regulator. CenturyLink QC does not have access to the type of proprietary engineering maps that the Department suggests should be used. The information that is available from the FCC, Connect Minnesota, Connected Nation, the Center for Disease Control and the FCC all strongly point to the same conclusion – wireless is available to nearly all Minnesota households and certainly more than 60% of the households in each exchange.<sup>58</sup>

## **VII. Conclusion.**

For the reasons set forth in these reply comments, CenturyLink QC respectfully requests that the Commission find that its petition is complete, that the statutory deadline for reaching a final decision is therefore December 27, 2016 and that it set forth procedures to reach a final decision in this matter on or before that date.

Dated this 29th day of August, 2016.

**QWEST CORPORATION DBA  
CENTURYLINK QC**



---

Jason D. Topp  
200 South 5th Street, Room 2200  
Minneapolis, MN 55402  
(651) 312-5364

12380218v1

---

<sup>57</sup> Second Brigham Affidavit, ¶ 5 and Exhibits RHB-10, RHB-11 and RHB-12.

<sup>58</sup> *Id.*

**STATE OF MINNESOTA  
BEFORE THE PUBLIC UTILITIES COMMISSION**

Beverly Jones Heydinger  
Nancy Lange  
Dan Lipschultz  
Matt Schuerger  
John Tuma

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

**In the Matter of the Petition of CenturyLink QC Docket No. P-421/AM-16-496  
to be Regulated Pursuant to Minn. Stat. §  
237.025: Competitive Market Regulation**

**SECOND AFFIDAVIT OF ROBERT BRIGHAM**

**AUGUST 29, 2016**

STATE OF COLORADO )

) ss.

COUNTY OF DENVER )

Robert Brigham, being duly sworn on oath, states as follows:

1. My name is Robert H. Brigham. My business address is 1801 California Street, 10<sup>th</sup> Floor, Denver, Colorado 80202, and I am currently employed by CenturyLink as a Director of Regulatory Operations. On June 29, 2016, I filed an affidavit in this proceeding wherein I provided evidence to support CenturyLink’s Petition to classify its residential voice services and business voice services (for customers subscribing to three or fewer lines) in CenturyLink QC exchange service areas as subject to Competitive Market regulation, pursuant to Minn. Stat § 237.025. My affidavit demonstrated that all CenturyLink QC exchange service areas in Minnesota meet the criteria set forth in Minn. Stat. § 237.025, Subd 4(1). My affidavit also provided the additional data that is required to be filed with a Petition for Market Regulation per Minn. Stat. § 237.025, Subd 2(b).

2. The purpose of this affidavit is to provide additional data to support CenturyLink QC’s Application in light of Comments filed by the Department of Commerce (“DOC”) and the Office of Attorney General (“OAG”) on August 15, 2016. Specifically, I will provide (1) additional data regarding wireless coverage in the wire centers served by CenturyLink QC, (2) additional information regarding the process for assigning housing units to wire centers, and (3) additional data regarding small business customers served by CenturyLink Communications, LLC (“CLC”) within the CenturyLink QC serving area.

3. The DOC and OAG each argue that the Wireless Coverage maps included as Exhibit RHB-5 of my June 29, 2016 Affidavit are, in the DOC's words, "unreliable in determining if service is available."<sup>1</sup> Both agencies argue that the Commission should not rely upon wireless companies' so-called "marketing maps" to determine whether customers in a wire center have a wireless voice option. Both agencies also allege that wireless providers often provide more detail in "infrastructure-related proceedings" such as when seeking permission to place new wireless towers, although they do not provide any such maps.

4. While there is no basis to conclude that the wireless coverage maps offered by wireless carriers on their web sites are not accurate, as claimed by DOC and OAG, there *is* additional evidence demonstrating that these maps are, in fact, accurate. First, the Minnesota Office of Broadband Development<sup>2</sup> publishes, and provides on its web site, a map that shows the availability of broadband services throughout the state of Minnesota. On this web site,<sup>3</sup> a user may view detailed maps that show broadband access throughout all areas of the state. This includes landline access via fiber, DSL and Cable, as well as access via mobile and fixed wireless systems. If one pulls up the map at <http://map.connectmn.org/>, and selects the "maps/data" tab and then selects "access," a menu of access types appears. A click on "Mobile Wireless Broadband" will yield the mobile broadband coverage map (at least 4 MB down/1 MB up) for the state. The user can zoom in to see the wireless geographic coverage for any community. This data from the Office of Broadband Development also can be downloaded, and attached as Exhibit RHB-9 is a map of mobile wireless broadband coverage for the state, based on the Office of Broadband Development data, with an overlay of CenturyLink exchanges. It

---

<sup>1</sup> Comments of the Department of Commerce, filed August 15, 2016, page 6.

<sup>2</sup> The Office of Broadband Development is a state governmental agency located in the Minnesota Department of Employment and Economic Development ("DEED").

<sup>3</sup> See: <https://mn.gov/deed/programs-services/broadband/>

may be observed that there is wireless broadband coverage across nearly all of CenturyLink's wire centers, except for three exchanges in the Boundary Waters area in the northeast corner of the state—Tofte, Finland and Grand Marais.<sup>4</sup> Importantly, wherever a customer can obtain broadband service from a broadband carrier, he or she can also obtain voice service. This data corroborates the wireless data provided in Exhibit RHB-5 of my original affidavit that is based on wireless carrier web sites.

5. Second, the FCC requires all mobile wireless providers to submit mobile voice coverage data via its Form 477. According to the Form 477 instructions, a mobile wireless provider must upload a "shapefile" of its voice coverage area to the FCC to meet Form 477 requirements:

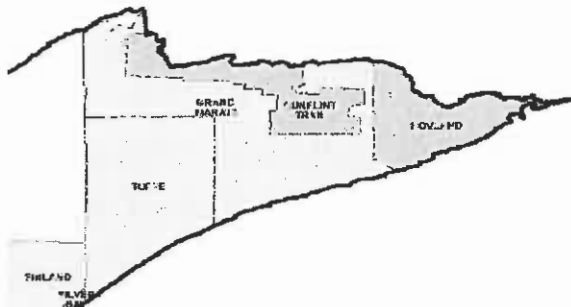
### 5.11 Mobile Voice Deployment

Information in this section is reported by *facilities-based mobile voice providers*, as defined in Who Must File This Form? and the Glossary. Additional information can be found in a separate document, Mobile Voice Deployment Terms.

These providers shall submit polygons in a shapefile format representing geographic coverage nationwide (including the 50 states, District of Columbia, Puerto Rico, and the Territories and possessions) for each mobile voice transmission technology (as specified in Technology of Transmission Codes for Mobile Wireless Services table in Codes to Use in Data Upload Files section) deployed in each frequency band (as

---

<sup>4</sup> Please see Exhibit RHB-10, which includes a map depicting the names for all CenturyLink QC exchanges. Note that two of the exchanges in the Boundary Waters area—Hovland and Gunflint Trail—are not CenturyLink QC exchanges, and are not under consideration in this proceeding.





specified in the Spectrum Codes table in Codes to Use in Data Upload Files section). A variation in technology or frequency band would require the submission of a separate polygon.

The shapefiles should be formatted in accordance with the instructions provided in a separate document, How Should I Format My Mobile Voice Deployment Data?, and uploaded as a .zip file to the Form 477 filing interface. A Mobile Voice Deployment Shapefile Template is also available for download.<sup>5</sup>

Based on this data, the FCC produces a national map of wireless voice coverage,<sup>6</sup> and this data may be downloaded from the FCC's web site at [https://wireless.fcc.gov/form477/ALL\\_F477\\_Dec2014\\_VOICE.zip](https://wireless.fcc.gov/form477/ALL_F477_Dec2014_VOICE.zip). Based on the Form 477 data downloaded from the FCC web site, CenturyLink has prepared the maps included as Exhibits RHB-11 and RHB-12. Exhibit RHB-11 shows the aggregate voice coverage for all the major wireless providers, and Exhibit RHB-12 shows the wireless voice coverage separately for each of the four major carriers. Both maps show an overlay of CenturyLink exchanges (See Exchange key in Exhibit RHB-10). Again, a review of these maps corroborates the data that CenturyLink filed in Exhibit RHB-5 of my initial affidavit. Keep in mind that these maps are based on data that the mobile wireless providers file with the FCC—the agency that regulates them—so it is safe to assume that these providers provide the most accurate data available.

6. Both the OAG and DOC question whether CenturyLink has accurately associated census housing units with wire centers using data from Experian Corporation and software from Alteryx Corporation. They state that the process is not adequately explained, and imply that this process is a “black box” that cannot be verified. CenturyLink did explain the process in response to DOC Data Request 3, which is attached as Exhibit RHB-13. The process is further explained in Exhibit RHB-14, which presents an excerpt from the Alteryx web site and describes the

---

<sup>5</sup> See instructions at: <https://transition.fcc.gov/form477/477inst.pdf>

<sup>6</sup> See: <https://www.fcc.gov/maps/nationwide-mobile-wireless-coverage-july-2015/>

“Block Centroid Retrieval” technique used to allocate census blocks, and any corresponding data, to irregular areas like wire centers. In addition, if the OAG or DOC wants to verify that housing units are assigned to the correct wire center, CenturyLink can provide the company’s wire center data in Alteryx or other GIS formats, and can provide the table resulting from this analysis upon request.


7. Finally, in its comments, the DOC states that “CLC does provide service to some residential and/or small business customers.”<sup>7</sup> In response to DOC Data Request 14, CenturyLink provided a list of the small business customers served by CLC within the CenturyLink QC serving area. For informational purposes I have included this response as Exhibit RHB-15. CLC does not serve any residential customers.

This concludes my affidavit.



Robert Brigham

Subscribed and sworn to before me  
this 29th day of August, 2016.

  
Notary Public  
*my Commission Expires Sept 25, 2017*



<sup>7</sup> DOC Coments, page 4.

# Minnesota

## Office of Broadband Development Available Mobile Broadband Service





# CenturyLink®

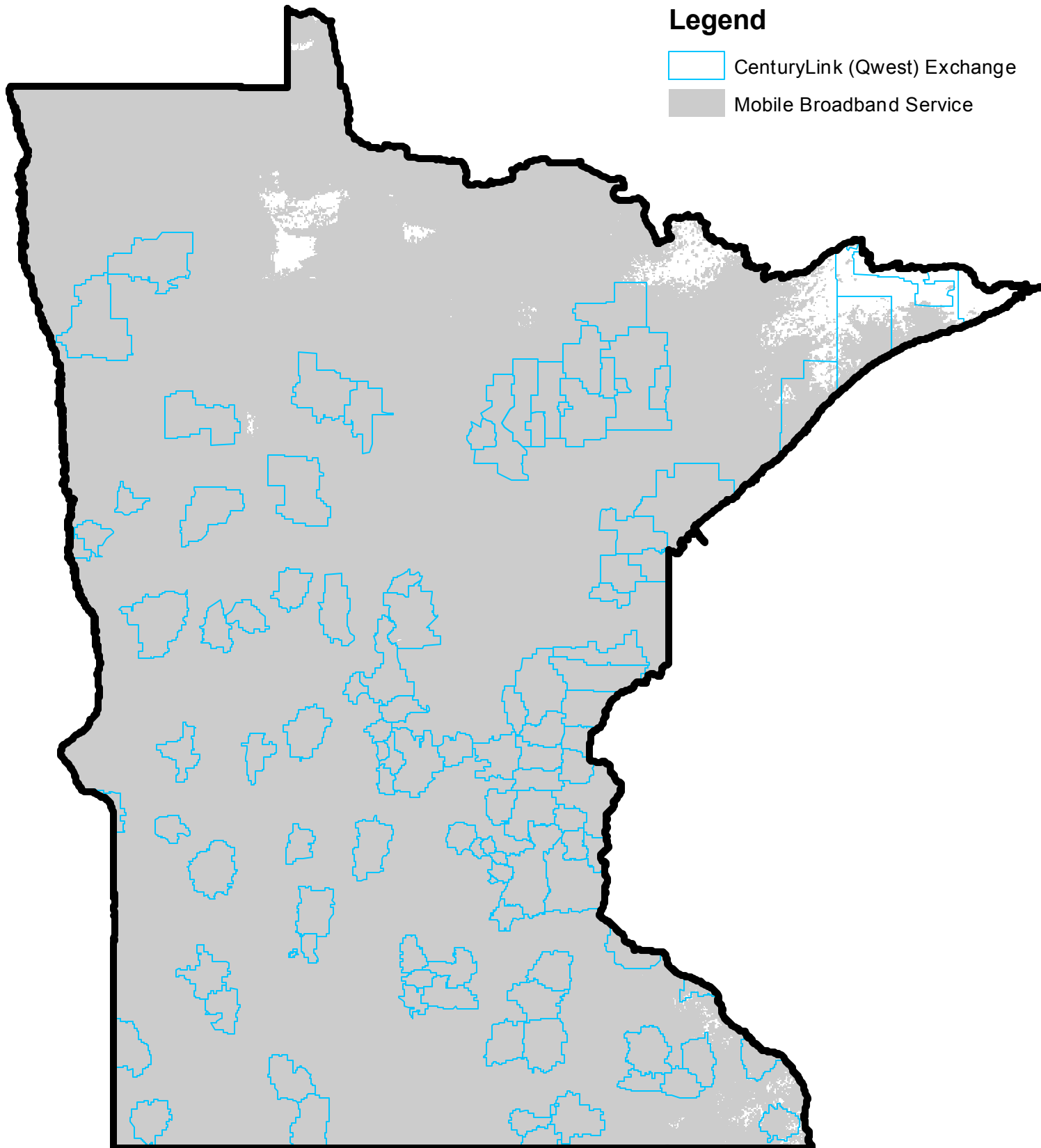
CenturyLink  
Docket No. P-421/AM-16-496 and P-421/AM-16-547

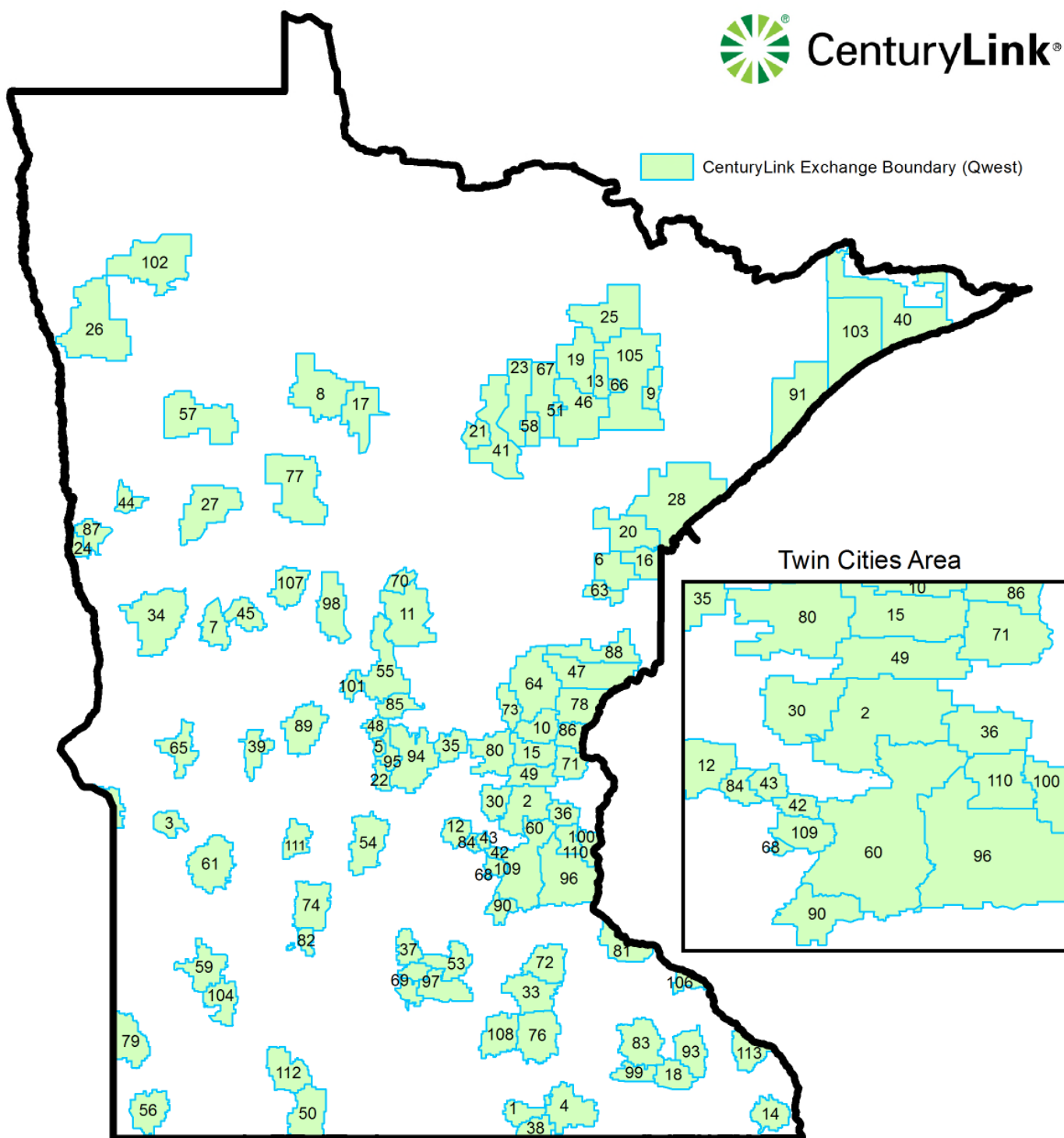
August 29, 2016

Exhibit RHB-9

### Legend

-  CenturyLink (Qwest) Exchange
-  Mobile Broadband Service





- |                 |                    |                   |                    |                         |                         |                       |
|-----------------|--------------------|-------------------|--------------------|-------------------------|-------------------------|-----------------------|
| 1 - ALBERT LEA  | 17 - CASS LAKE     | 36 - FOREST LAKE  | 53 - LE SUEUR      | 70 - NISSWA             | 86 - RUSH CITY          | 103 - TOFTE           |
| 2 - ANOKA       | 18 - CHATFIELD     | 37 - GAYLORD      | 54 - LITCHFIELD    | 71 - NORTH BRANCH       | 87 - SABIN              | 104 - TRACY           |
| 3 - APPLETON    | 19 - CHISHOLM      | 38 - GLENVILLE    | 55 - LITTLE FALLS  | 72 - NORTHFIELD         | 88 - SANDSTONE          | 105 - VIRGINIA        |
| 4 - AUSTIN      | 20 - CLOQUET       | 39 - GLENWOOD     | 56 - LUVERNE       | 73 - OGILVIE            | 89 - SAUK CENTRE        | 106 - WABASHA         |
| 5 - AVON        | 21 - COHASSET      | 40 - GRAND MARAIS | 57 - MAHNOMEN      | 74 - OLIVIA-BIRD ISLAND | 90 - SHAKOPEE           | 107 - WADENA          |
| 6 - BARNUM      | 22 - COLD SPRING   | 41 - GRAND RAPIDS | 58 - MARBLE        | 75 - ORTONVILLE         | 91 - SILVER BAY         | 108 - WASECA          |
| 7 - BATTLE LAKE | 23 - COLERAINE     | 42 - HAMEL        | 59 - MARSHALL      | 76 - OWATONNA           | 93 - ST. CHARLES        | 109 - WAYZATA         |
| 8 - BEMIDJI     | 24 - COMSTOCK      | 43 - HANOVER      | 60 - MINNEAPOLIS   | 77 - PARK RAPIDS        | 94 - ST. CLOUD          | 110 - WHITE BEAR LAKE |
| 9 - BIWABIK     | 25 - COOK          | 44 - HAWLEY       | 61 - MONTEVIDEO    | 78 - PINE CITY          | 95 - ST. JOSEPH         | 111 - WILLMAR         |
| 10 - BRAHAM     | 26 - CROOKSTON     | 45 - HENNING      | 63 - MOOSE LAKE    | 79 - PIPESTONE          | 96 - ST. PAUL           | 112 - WINDOM          |
| 11 - BRAINERD   | 27 - DETROIT LAKES | 46 - HIBBING      | 64 - MORA          | 80 - PRINCETON          | 97 - ST. PETER          | 113 - WINONA          |
| 12 - BUFFALO    | 28 - DULUTH        | 47 - HINCKLEY     | 65 - MORRIS        | 81 - RED WING           | 98 - STAPLES            |                       |
| 13 - BUHL       | 30 - ELK RIVER     | 48 - HOLDINGFORD  | 66 - MOUNTAIN IRON | 82 - REDWOOD FALLS      | 99 - STEWARTVILLE       |                       |
| 14 - CALEDONIA  | 33 - FARIBAULT     | 49 - ISANTI       | 67 - NASHVAUK      | 83 - ROCHESTER          | 100 - STILLWATER        |                       |
| 15 - CAMBRIDGE  | 34 - FERGUS FALLS  | 50 - JACKSON      | 68 - NAVARRE       | 84 - ROCKFORD           | 101 - SWANVILLE         |                       |
| 16 - CARLTON    | 35 - FOLEY         | 51 - KEEWATIN     | 69 - NICOLLET      | 85 - ROYALTON           | 102 - THIEF RIVER FALLS |                       |

# AT&T Mobility 477 Voice Coverage Minnesota




CenturyLink®

CenturyLink  
Docket No. P-421/AM-16-496 and P-421/AM-16-547

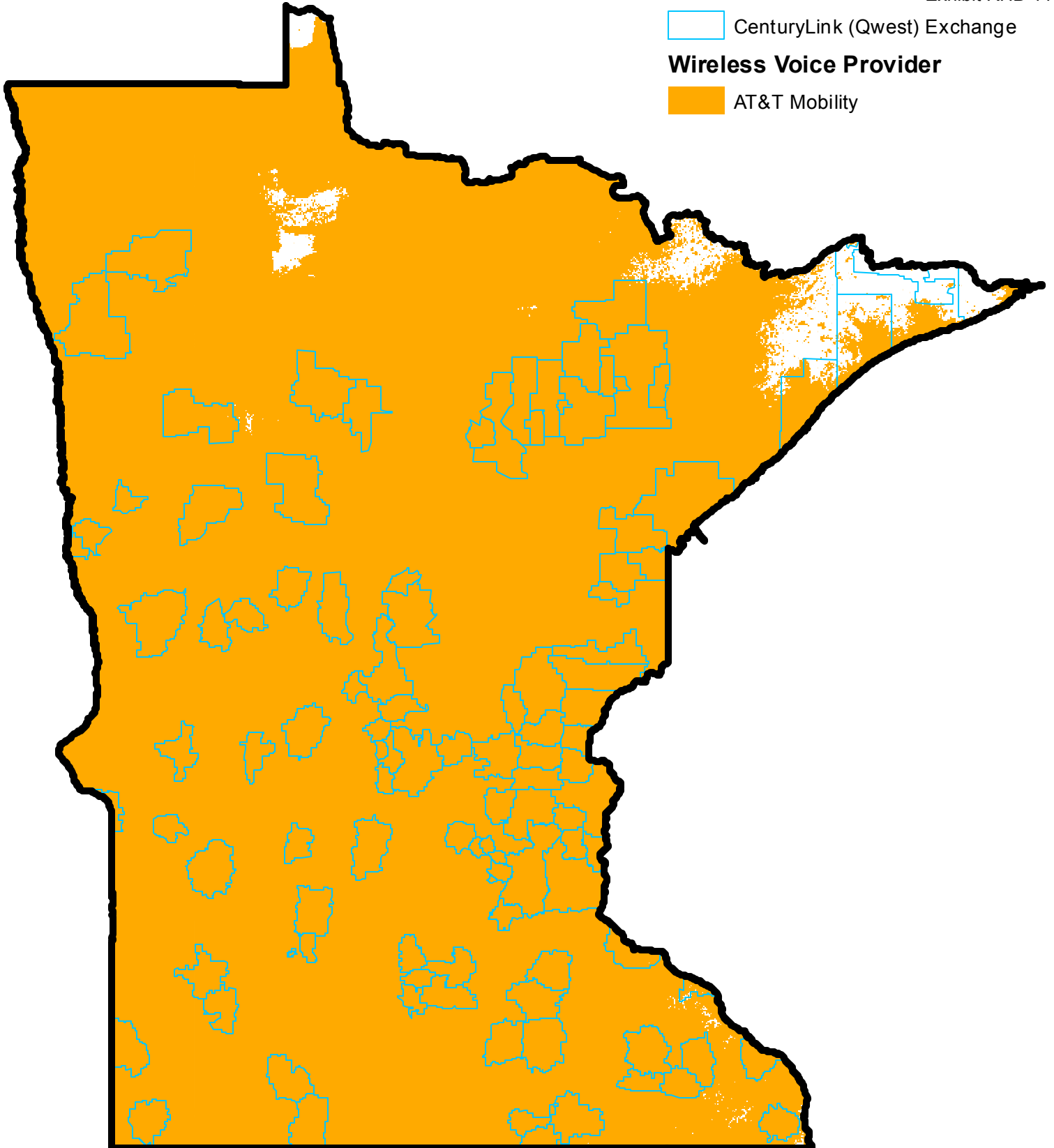
August 29, 2016  
Exhibit RHB-11

## Legend

 CenturyLink (Qwest) Exchange

## Wireless Voice Provider

 AT&T Mobility



# Sprint 477 Voice Coverage Minnesota




CenturyLink®

CenturyLink  
Docket No. P-421/AM-16-496 and P-421/AM-16-547

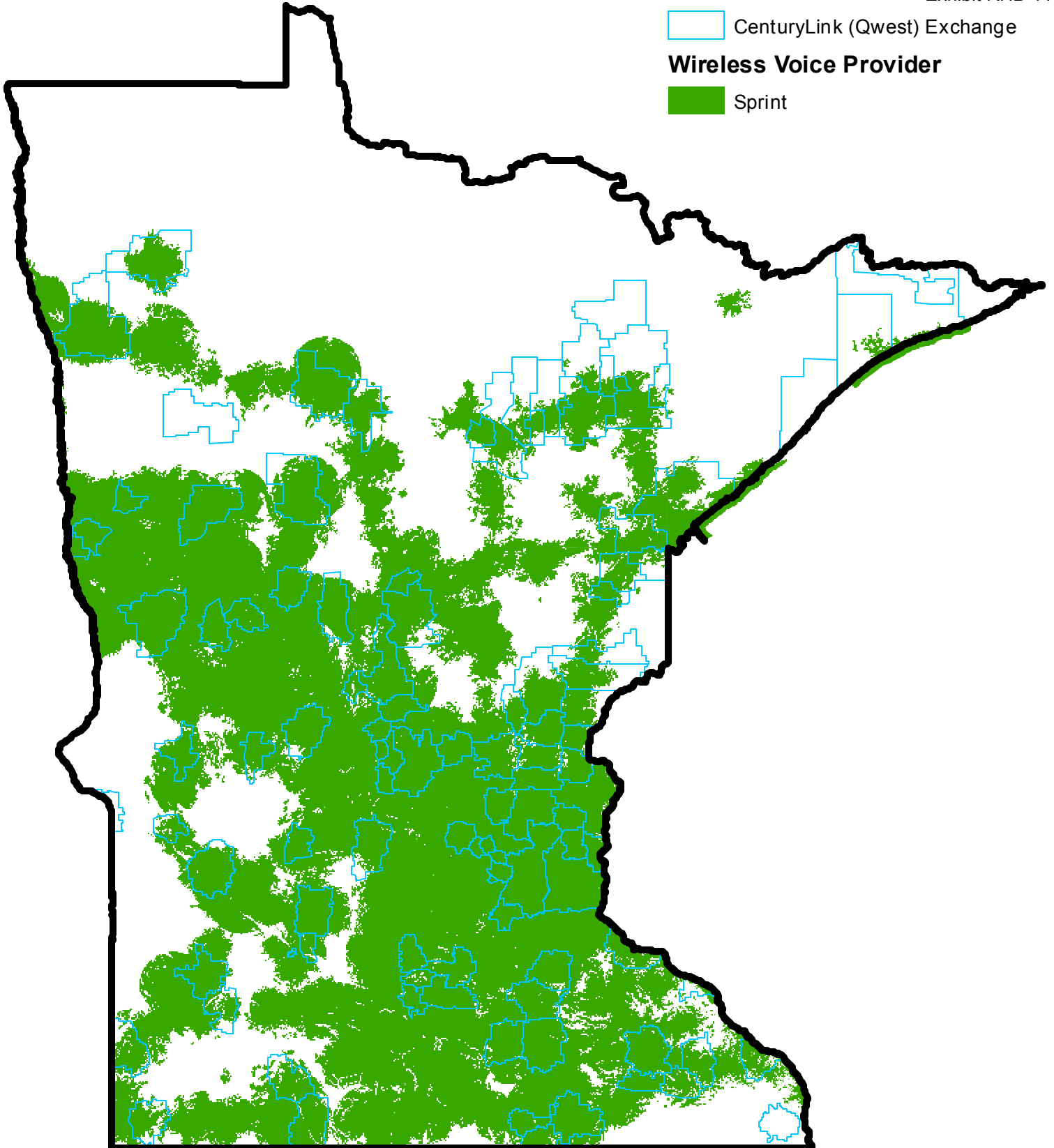
August 29, 2016  
Exhibit RHB-11

## Legend

 CenturyLink (Qwest) Exchange

## Wireless Voice Provider

 Sprint



# T-Mobile 477 Voice Coverage Minnesota




CenturyLink®

CenturyLink  
Docket No. P-421/AM-16-496 and P-421/AM-16-547

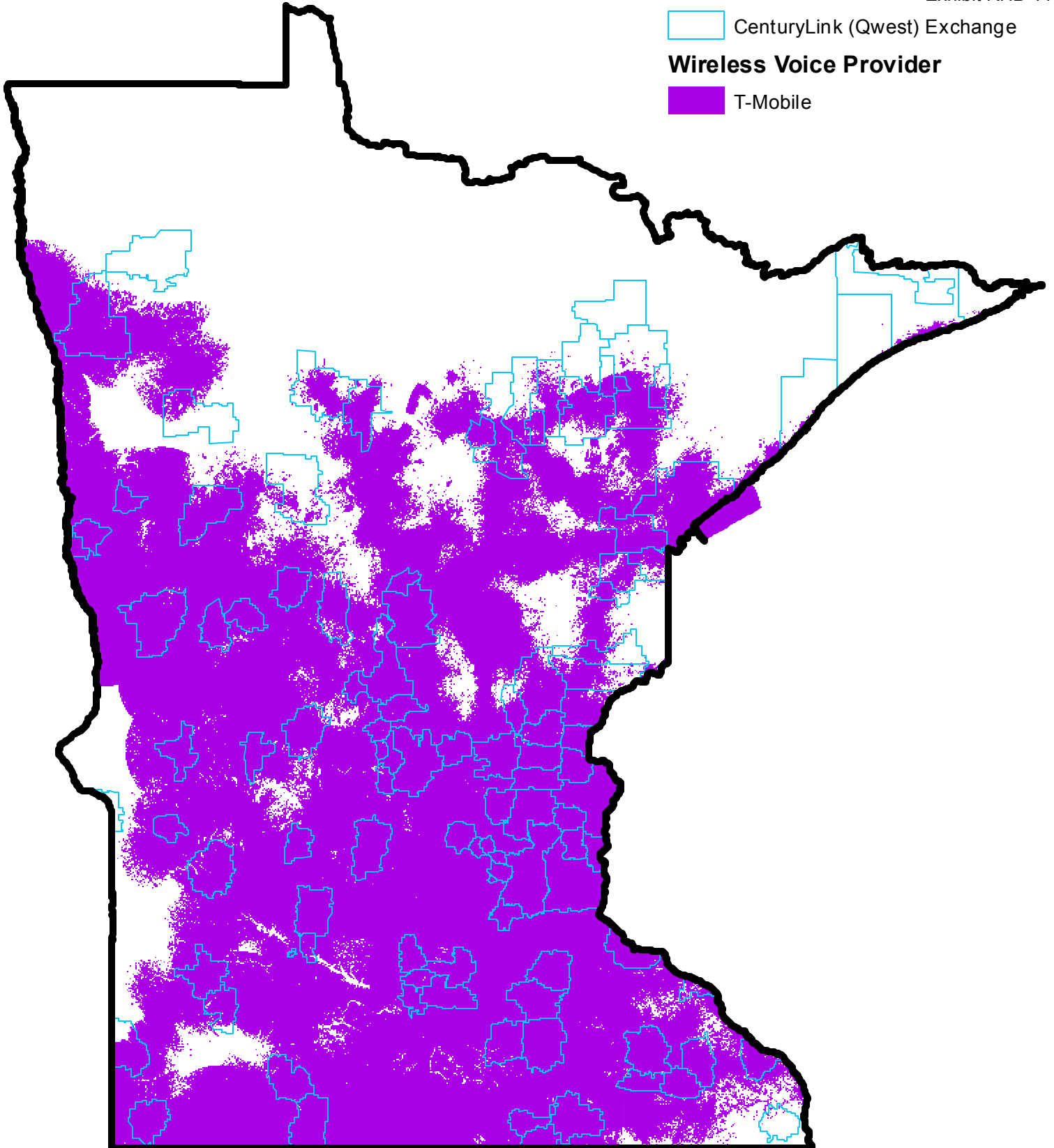
August 29, 2016  
Exhibit RHB-11

## Legend

 CenturyLink (Qwest) Exchange

## Wireless Voice Provider

 T-Mobile



# Verizon Wireless 477 Voice Coverage Minnesota




CenturyLink®


CenturyLink  
Docket No. P-421/AM-16-496 and P-421/AM-16-547

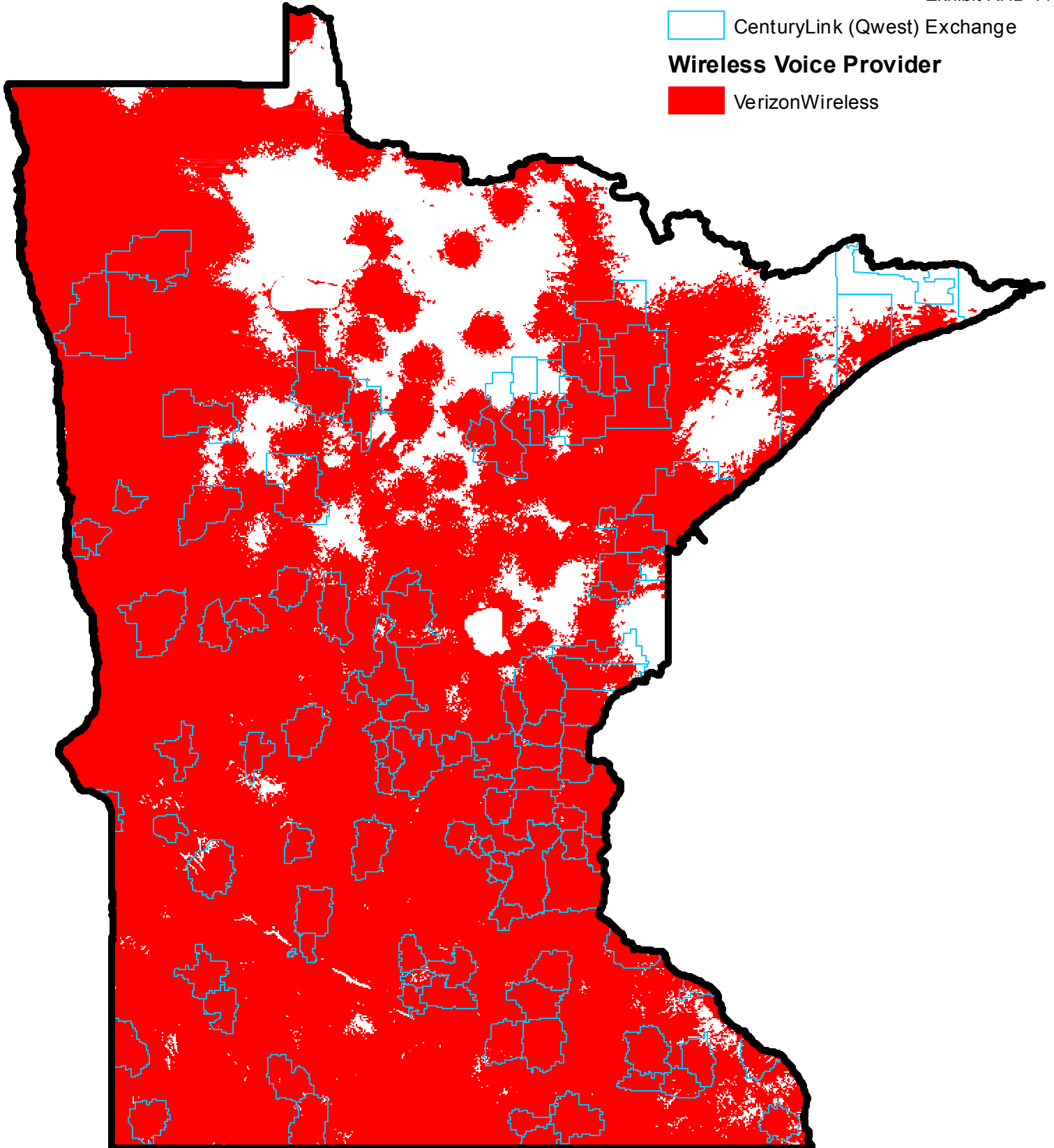
August 29, 2016  
Exhibit RHB-11

## Legend

 CenturyLink (Qwest) Exchange

## Wireless Voice Provider

 VerizonWireless





# All Mobile Providers 477 Voice Coverage Minnesota



CenturyLink®



CenturyLink

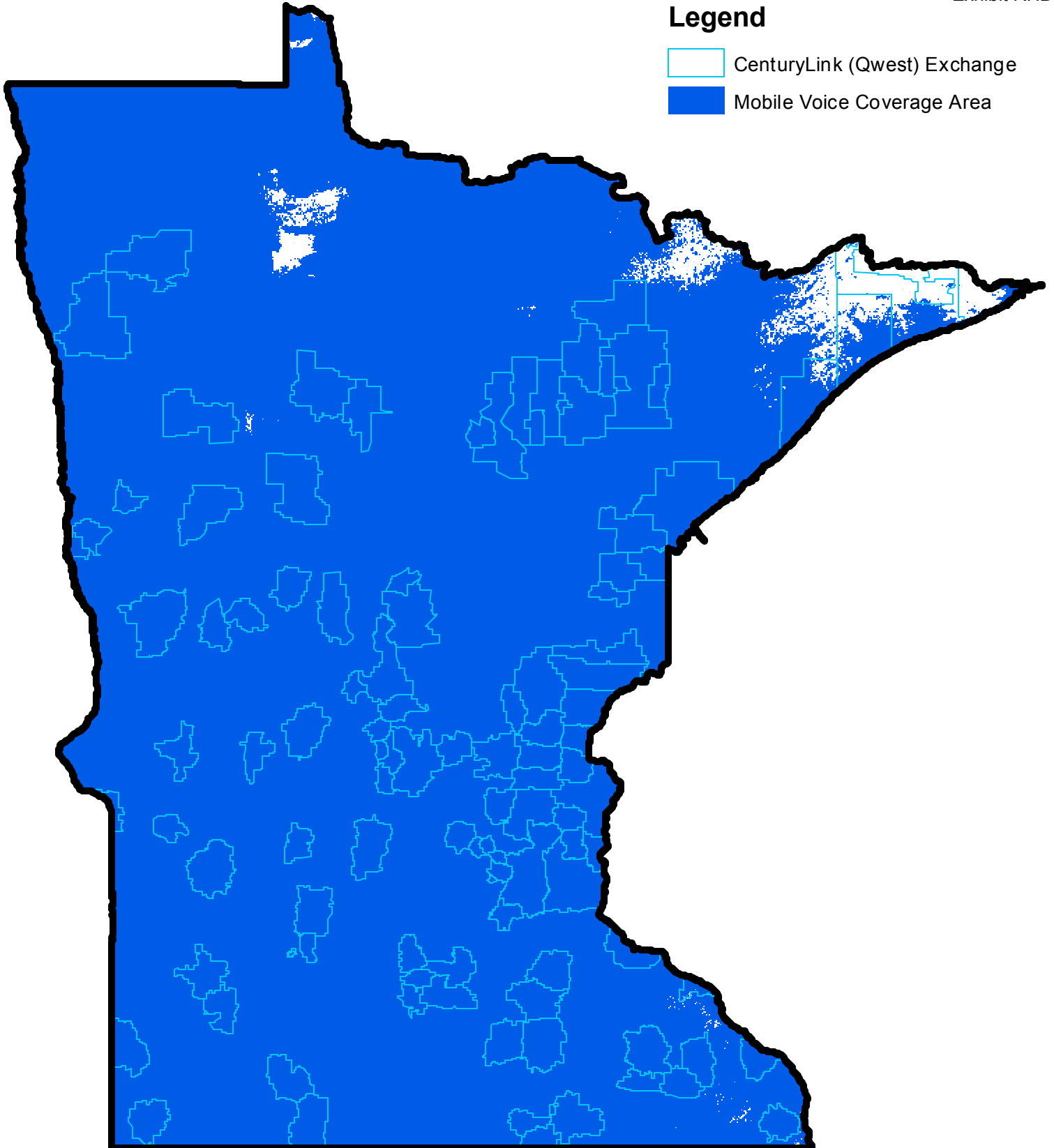
Docket No. P-421/AM-16-496 and P-421/AM-16-547

August 29, 2016

Exhibit RHB-12

## Legend

-  CenturyLink (Qwest) Exchange
-  Mobile Voice Coverage Area



# Demographic Retrieval Methodology

## Block Centroid Retrieval

The Demographic Analysis tools in Alteryx use the Allocate Engine to retrieve demographic data. Allocate utilizes a unique and more accurate approach to allocating demographic data to irregular polygons such as circles, travel contours and custom trade areas. The approach results in a more accurate apportioning of block group level databases to these non-standard areas. Stored within the Allocate engine are over 5 million block centroids covering every Census defined block in the United States. Along with each block centroid's latitude and longitude coordinates is stored the corresponding population and household count for that particular block. When an irregular polygon gets passed to the Allocate engine, Allocate first identifies which block centroids are contained within it. Block centroids found inside the polygon are associated within other block centroids having the same block group code. The population and household counts of the blocks are aggregated, expressed as a percentage of the corresponding block groups total population and household count and then applied to each of the block group attributes being requested for an Allocate database or report.

### **How does Block Centroid Retrieval compare to more commonly used techniques?**

Block centroid retrieval is considerably more accurate than all other available techniques because it leverages known information about the relationship to blocks and block groups to any custom trade area while eliminating unknown information that other techniques assume to be true about these relationships. Geographic Information Systems commonly offer users several logical options for allocating data to a custom polygon, none of which are very accurate or as true as block centroid retrieval. These techniques include: area weighting, polygon touching, polygon contained within and point in polygon.

### **Area weighting**

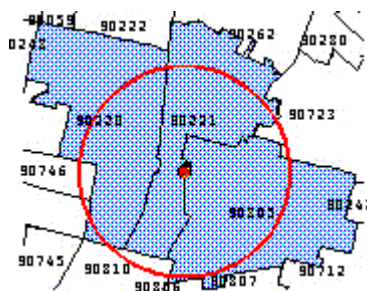
Area weighting calculates the land area contained inside the polygon and then applies the percentage of land area to the source data to generate the necessary demographic information. This approach assumes a one to one relationship between land area and population and households. Only block centroid allocation can detect open spaces like parks, schools and public areas such as commercial centers, malls, office complexes, all of which impact the correct amount of data to be assigned to your trade area.

To compensate for this known error in assumptions, GIS providers allow users to:

1. Allocate all of the data to a polygon if the trade area touches the source area or its geographic centroid or
2. Allocate none of the data to a polygon if the trade area does not fully encapsulate the source area or its geographic centroid.

These techniques can be adequate only if the trade area is large relative to the size of the source area the desired data is stored at (e.g., 5 miles with block groups, 10 miles with census tracts and 20 miles with zip codes).

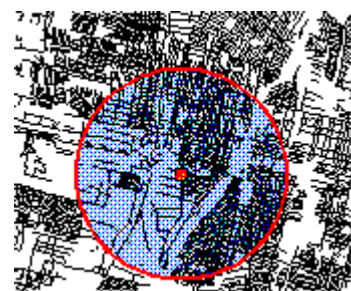
Allocate provides block centroid retrieval regardless of the size or shape of your custom polygon or the level of geography you license for use with your GIS. The example below illustrates the accuracy of Allocate relative to other techniques.



Zip Code Centroids



Block Group Centroids



Allocate's Block Centroids

	Households	% Error		Households	% Error		Households	% Error
1 Mile	11,104	+134%	1 Mile	5,065	+7%	1 Mile	4,748	N/A
2 Mile	48,995	+95%	2 Mile	28,031	+11%	2 Mile	25,169	N/A
3 Mile	119,706	+118%	3 Mile	68,321	+24%	3 Mile	54,896	N/A

Learn more about Alteryx at [www.alteryx.com](http://www.alteryx.com) | Connect with experts to discover new solutions at the [Alteryx Community](http://Alteryx Community) | Send comments on this topic to [helpfeedback@alteryx.com](mailto:helpfeedback@alteryx.com)

**State of Minnesota**  
**DEPARTMENT OF COMMERCE**

Nonpublic   
Public

**Utility Information Request**

Docket Number: P-421/AM-16-496

Date of Request: 7/22/2016

Requested From: CenturyLink

Response Due: 8/1/2016

Analysts Requesting Information: Bonnie Johnson/Diane Dietz

Type of Inquiry:    .....Financial            .....Rate of Return            .....Rate Design  
.....Engineering            .....Forecasting            .....Conservation  
.....Cost of Service            .....CIP            .....Other:

*If you feel your responses are trade secret or privileged, please indicate this on your response.*

Request No.	
3	<p>Pages 4 and 5 of Robert Brigham’s Affidavit states that CenturyLink used census data to determine the percentage of residential households that subscribe to CenturyLink service.</p> <p>A. Provide the source data of the housing units shown in Exhibit RHB-2.</p> <p>B. Show/explain how census data on housing units is converted to wire centers/exchanges. Provide all work papers regarding the conversion.</p> <p>C. If census data is not tracked to wire centers, how did CenturyLink make the census data follow wire center or exchange boundaries?</p> <p><b><u>Response:</u></b></p> <p>A. The source of the Housing Unit data is a database maintained by <i>Experian</i> that includes housing unit data from the 2010 census, plus projections of these housing units to 2015. (Experian demographic data, <i>US 2014A (Q4 2015 Release)</i> (v.8.6)).</p> <p>B. Housing units are identified by Census Block in the Experian database. In order to assign the housing units to the correct wire center, CenturyLink uses licensed <i>Alteryx</i> software. This process assigns the housing units in census blocks to wire centers based on CenturyLink wire center boundaries. If a census block is located entirely in one wire center, the housing units in that census block are assigned to that wire center. In other cases, a census block may extend into two or more wire centers or outside of CenturyLink’s serving area. In these cases, the housing units in the census block are assigned to wire centers using the Alteryx “allocation tool.”. This process is very data intensive and there are no “workpapers.” Details on the demographic retrieval methodology the Alteryx allocate tool uses can be found at:  <a href="https://help.alteryx.com/10.6/index.htm#Allocate_Retrieval_Methodology.htm">https://help.alteryx.com/10.6/index.htm#Allocate_Retrieval_Methodology.htm</a>.</p>

C. See response to Part B.

---

Response by: \_\_\_\_\_

List sources of information:

Title: \_\_\_\_\_

\_\_\_\_\_

Department: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

\_\_\_\_\_



**Jason D. Topp**  
Associate General Counsel - Regulatory  
(651) 312-5364

August 4, 2016

Mr. Connor Boler  
MN Department of Commerce  
85 Seventh Place East, Suite 500  
St. Paul, MN 55101-2198

**Re: In the Matter of the Petition of CenturyLink QC to be Regulated  
Pursuant to Minn. Stat. § 237.025: Competitive Market Regulation  
Docket No. P-421/AM-16-496**

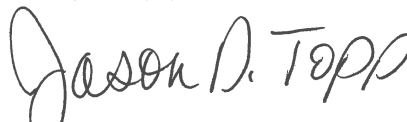
**Repository for "Highly Sensitive Trade Secret Information: Subject to  
Additional Protection in Docket No. 16-496  
Docket No. P-421/AM-16-547**

Dear Mr. Boler:

Enclosed is CenturyLink's Supplemental Response to the Department of Commerce's Information Request No. 14 regarding the above-referenced matters.

Please note that Attachments 14A and 14B contain highly sensitive not public information and should be placed in Docket No. P-421/AM-16-547.

Very truly yours,

  
Jason D. Topp

JDT/bardm

Enclosure

cc: Joseph A. Dammel

**PUBLIC DOCUMENT-HIGHLY SENSITIVE  
PROTECTED DATA HAS BEEN EXCISED**

200 South 5th Street, Room 2200  
Minneapolis, MN 55402  
www.centurylink.com



**State of Minnesota**  
**DEPARTMENT OF COMMERCE**

Exhibit RHB-15 (PUBLIC)  
Nonpublic   
Public

**Utility Information Request**

Docket Number: P-421/AM-16-496

Date of Request: 7/22/2016

Requested From: CenturyLink

Response Due: 8/1/2016

Analysts Requesting Information: Bonnie Johnson/Diane Dietz

Type of Inquiry:    .....Financial            .....Rate of Return            .....Rate Design  
                          .....Engineering            .....Forecasting            .....Conservation  
                          .....Cost of Service            .....CIP                            .....Other:

*If you feel your responses are trade secret or privileged, please indicate this on your response.*

Request No.	
14	<p data-bbox="292 976 1526 1092">Please list each exchange where CenturyLink Communications, LLC provides a local service, identify the number of customers to whom service is provided and identify each local service provided by name and USOC.</p> <p data-bbox="292 1123 430 1165"><b><u>Response:</u></b></p> <p data-bbox="292 1197 1477 1270">CenturyLink is still finalizing its response to this question and will supplement as soon as possible.</p> <p data-bbox="292 1302 730 1344"><b><u>Supplemental Response 8/2/16</u></b></p> <p data-bbox="292 1375 1526 1627">CenturyLink Communications, LLC ("CLC") provides business voice service in several wire centers within the CenturyLink QC serving territory. Please see Confidential Attachment 14A for a list of the number of CLC customers by wire center. This list includes customers purchasing non-VoIP services, including business lines, PBX trunks, BRI trunks and PRI trunks. This exhibit also shows the number of customers who purchase three or fewer lines. Please note that since CLC does not bill services based on USOCs, there are no USOCs identified.</p> <p data-bbox="292 1669 1526 1764">CLC also provides Voice over Internet Protocol ("VoIP") services to business customers in the CenturyLink QC territory in Minnesota. Please see Confidential Attachment 14B for the number of business customers purchasing VoIP service by wire center.</p>



**HIGHLY SENSITIVE NOT PUBLIC/PRIVILEGED INFORMATION  
CLASSIFICATION RATIONALE**

**State:** Minnesota

**Description/Title of Information:** In the Matter of the Petition of CenturyLink QC to be Regulated Pursuant to Minn. Stat. § 237.025: Competitive Market Regulation  
**Docket No. P-421/AM-16-496**

**Repository for “Highly Sensitive Trade Secret Information: Subject to Additional Protection in Docket No. 16-496”**  
**Docket No. P-421/AM-16-547**

**Rationale:** Highly Confidential Not Public Attachments 14A and 14B to CenturyLink’s Response to the Department of Commerce’s Information Request No 14 contains information that is considered Highly Sensitive Not Public because (1) CenturyLink makes reasonable efforts to ensure its privacy and (2) the data derives actual or potential independent economic value because the information is not generally known to, and not being readily ascertainable by proper means by, other persons who can obtain value from its disclosure or use. For this reason, Highly Confidential Not Public Attachments 14A and 14B to CenturyLink’s Response to the Department of Commerce’s Information Request No. 14 should be protected from public disclosure.

**CENTURYLINK COMMUNICATIONS, LLC  
CUSTOMERS ASSIGNED TO WIRE CENTERS  
DECEMBER 31, 2015**

<b>WIRE CENTER</b>	<b>NUMBER OF CUSTOMERS</b>
--------------------	--------------------------------

[Highly Sensitive Not Public  
Data Begins

Highly Sensitive Not  
Public Data Ends]

**CENTURYLINK COMMUNICATIONS, LLC  
CUSTOMERS PURCHASING VOIP SERVICES (BY WIRE CENTER)  
CENTURYLINK QC SERVING AREA  
DECEMBER 31, 2015**

<b>WIRE CENTER</b>	<b>NUMBER OF CUSTOMERS</b>
[Highly Sensitive Not Public Data Begins	

<b>WIRE CENTER</b>	<b>NUMBER OF CUSTOMERS</b>
--------------------	--------------------------------

---

<b>WIRE CENTER</b>	<b>NUMBER OF CUSTOMERS</b>
--------------------	----------------------------

---

<b>WIRE CENTER</b>	<b>NUMBER OF CUSTOMERS</b>
--------------------	----------------------------

---

Highly Sensitive Not  
Public Data Ends]