

Minnesota Public Utilities Commission
Staff Briefing Paper

Meeting Date: December 3, 2015.....** Agenda Item # 3

Companies: CenturyLink QC and Charter Fiberlink CCO, LLC

Docket No. P-6716, 421/C-15-818
In the Matter of the Complaint by CenturyLink QC against Charter Fiberlink
CCO, LLC regarding Local Number Portability

Issues: Should the Commission dismiss the Complaint as requested by CenturyLink and
Charter?

Staff: Kevin O’Grady.....651-201-2218

Relevant Documents

CenturyLink Complaint September 8, 2015
Order Requiring Answer to Complaint and Establishing ProceduresOctober 7, 2015
Joint Motion to Dismiss ComplaintNovember 6, 2015

The attached materials are work papers of Commission Staff. They are intended for use by the Public Utilities Commission and are based upon information already in the record unless noted otherwise.

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Background

On September 8, 2015, CenturyLink QC (CenturyLink) filed a Complaint against Charter Fiberlink CCO, LLC (Charter) arguing that Charter has failed to meet its responsibility to perform database queries and to route calls from CenturyLink to numbers that were originally assigned to Charter but that have been either (1) ported away from Charter or (2) assigned to a different carrier. CenturyLink alleges that Charters' actions result in dropped calls. CenturyLink's Complaint is confined to Extended Area Service (EAS) traffic in the Duluth – Superior EAS calling area. That EAS area straddles LATA boundaries and state boundaries.

On October 7, 2015, the Commission issued its *Order Requiring Answer to Complaint and Establishing Procedures*.

On October 26, 2015, the Commission granted Charter additional time to file its Answer in response to the Parties' reported progress toward a technical solution.

On November 6, 2015, CenturyLink and Charter reported they had resolved their dispute and filed a Joint Motion to Dismiss the Complaint. The Minnesota Department of Commerce (DOC) supports the Motion.

Joint Motion

The Joint Motion states that, after CenturyLink filed the Complaint, Charter completed certain network modifications, which have resulted in Charter performing the Local Number Portability (LNP) queries and call routing described in the Complaint. Thereafter, Charter and CenturyLink engaged in cooperative testing to confirm that CenturyLink's calls originating in Duluth MN are terminating properly to non-Charter customers in Superior WI.

CenturyLink and Charter further state this Joint Motion results from a compromise and resolution of the disputed claims described in the Complaint. Charter and CenturyLink agree that nothing in this Motion shall be construed as an admission of any fault or liability by either Party. Each Party reserves all rights in connection with the issues raised in the Complaint.

Staff Comment

The Motion does not provide the Commission with a technical understanding of the resolution. However, that CenturyLink, Charter and DOC support the Motion gives Staff some confidence that the Duluth/Superior EAS customers will receive calls as placed by the calling parties. The issue may be revisited if additional concerns arise. Staff is unaware of any opposition to the Motion.

Commission Options

1. Dismiss the Complaint as requested by CenturyLink and Charter.
2. Reject the Joint Motion to Dismiss and require Charter to file a formal answer to the Complaint.
3. Take other action.

Staff recommends option #1.