



CenturyLink®

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April 14, 2014

Dr. Burl W. Haar
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

**Re: In the Matter of the CenturyLink, Inc. Petition for Rulemaking to Revise
Service Quality Rules
Docket No. P-421/AM-14-256**

Dear Dr. Haar:

Enclosed for filing please find CenturyLink's Comments regarding the above-referenced matter.

Very truly yours,

/s/ Jason D. Topp

Jason D. Topp

JDT/bardm

Enclosure

cc: Service List

STATE OF MINNESOTA
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger	Chair
David Boyd	Commissioner
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
Betsy Wergin	Commissioner

**Re: In the Matter of the CenturyLink, Inc. Petition for Rulemaking to Revise
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Docket No. P-421/AM-14-256**

AFFIDAVIT OF SERVICE

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN)

Dianne Barthel hereby certifies that on the 14th day of April, 2014, she e-filed a true and correct copy of CenturyLink's Comments by posting it on www.edockets.state.mn.us. Said document was also served on the service list via U.S. mail and e-mail as designated with the Minnesota Public Utilities Commission.

/s/ Dianne Barthel
Dianne Barthel

Subscribed and sworn to before me
this 14th day of April, 2014.

/s/ LeAnn M. Cammarata
Notary Public

My Commission Expires Jan 31, 2015

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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**STATE OF MINNESOTA
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In the Matter of the CenturyLink, Inc. Docket No. P-421/AM-14-256
Petition for Rulemaking to Revise Service
Quality Rules

CENTURYLINK'S COMMENTS

One of the primary themes expressed in the Commission's Notice of Comment Period relates to whether a CenturyLink's petition for a rulemaking supports the Commission's goals of maintaining or improving quality of service and ensuring consumer protections. CenturyLink agrees that these concerns should be a central consideration of this Commission in reviewing its petition. That concern should focus on the consumer and not the company that provides service to the customer.

Currently, Commission rules are reflective of telecommunications and a communications marketplace of a bygone era. In the case of the Commission's service quality rules, the Commission sets forth a series of specific requirements in Minn. Rules 7810.5100 – 5900. These rules are not consistently enforced, and adherence to these requirements is monitored for only a selective few carriers even though they apply to all.

By contrast, the Commission's CLEC rules provide that "the Commission shall exercise its authority over a CLEC's local services only upon complaint . . ." ¹ It is this

¹ Minn. R. 7811.2210, Subp. 1.A.

operational model CenturyLink proposes the Commission adopt for its service quality oversight in its proposed rulemaking proceeding.

The CLEC rules were adopted in 2000. This Commission has 14 years experience with the approach taken in those rules, and the CLEC approach to addressing consumer issues appears to have been effective. While it may have made sense decades ago to offer consumer protection reminiscent of a monopoly era, that justification no longer exists. Today, facilities-based competitors (primarily cable companies) serve as many Minnesota customers as does CenturyLink. Wireless companies, which are not subject to any service quality requirements, have more customers than either CenturyLink or the cable companies.

Every Minnesota customer is important. If the Commission's approach to CLEC customers serves those customers well, the same approach should ensure the delivery of quality service to all telecommunications customers. CenturyLink proposes that the Commission open a rulemaking docket to revisit the service quality provisions contained in Minn. R. 7810.5100-5900 and further proposes that the Commission eliminate those existing provisions and adopt the same approach to the delivery of quality telecommunications service as it does to the provision of CLEC services today.

COMMENTS ON COMMISSION QUESTIONS

- 1. Is a rulemaking necessary to address CenturyLink's concerns? Address alternatives that can possibly address the Company's concerns without the need for rulemaking.**

CenturyLink believes a rulemaking is necessary to address its concerns. Recognizing the time and effort potentially involved with a rulemaking, CenturyLink simultaneously filed a request for a variance waiving the current rule that imposes the most draconian

requirements of the Commission's current rules – Minn. R. 7810.5800. Nonetheless, a more comprehensive overview of the rules is long overdue.

2. How does CenturyLink's petition comport with Minn. Administrative Rules, specifically Parts 1400.2040 and 1400.2500 relating to the language of the requested rule changes or repeals proposed by the Company?

CenturyLink's Petition asks that the Commission "open a rulemaking docket to examine all of its service quality standards, or at a minimum Minn. Rule Parts 7810.4100 through 78710.6100." It further suggests that "CenturyLink believes a strong case can be made that all of the service quality rules adopted by the Commission in Minnesota Rules, Chapter 7810 should be eliminated." CenturyLink clearly seeks a Commission rulemaking addressing Minn. Rules, Parts 7810.4100 through 7810.6100. CenturyLink's proposal is that these rules be repealed.

This petition is therefore consistent with the requirement in Part 1400.2040 and 1400.2500 that a petition set forth the specific action sought by the petitioner.

3. How does the Company's petition support the Commission's telecommunication service goals of a) maintaining or improving quality of service, and b) ensuring consumer protections are maintained in the transition to a competitive market for local telecommunications service?

A competitive marketplace exists today. The Commission has used a complaint based approach to addressing CLEC services for 14 years, and by all appearances, that approach has been effective in protecting CLEC customers, which, in the case of customers of cable providers, comprise a large portion of the residential marketplace. CenturyLink respectfully suggests that its proposal will (1) continue to protect consumers and (2) allow providers to deploy resources in a manner that meets customer demand, rather than artificial requirements not demanded by customers.

4. What should be the scope of any rulemaking proceeding?

CenturyLink has proposed a rulemaking addressing Rules 7810.4100 – 7810.6100. The rulemaking proceeding should, at a minimum, address current Rules 7810.5100-5900.

5. What procedures should the Commission establish for any rulemaking proceeding?

The formal portion of the proceeding should follow the procedures set forth in Minnesota Statutes, Chapter 14, and its associated rules. Prior to that time, CenturyLink suggests that the Commission (1) invite parties to make specific proposals for rules within the scope of the proceeding and (2) encourage participants to attempt to negotiate a resolution if possible. After those discussions, the Commission should invite parties to file their final proposed rules and file comments in support of their proposed rules with an opportunity to file responses to the comments and proposed rules filed by other parties. The Commission should then meet to decide upon a set of rules, if any, that it would propose to publish in a Notice of Intent to Adopt Rules or Notice of Hearing pursuant to Minn. R. 1400.2050.

6. Should the Commission approve or deny CenturyLink’s petition for rulemaking?

The Commission should approve the Petition.

7. Other related issues for Commission consideration?

CenturyLink does not have other issues for the Commission’s consideration.

CONCLUSION

CenturyLink respectfully requests that the Commission open a rulemaking proceeding to consider whether to repeal Minn. R. 7810.4100-7810.6100 using the procedures recommended in these comments.

Dated this 14th day of April, 2014.

CENTURYLINK, INC.

/s/Jason D. Topp

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