

October 1, 2018

Daniel P. Wolf
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East Suite 350
St. Paul, MN 55101-2147

RE: **Response to Qwest Corporation DBA CenturyLink QC's Motion for Clarification and Reconsideration**
Docket No. P421/C-17-796

Dear Mr. Wolf:

Enclosed is the Minnesota Department of Commerce response Qwest Corporation's Motion for Clarification and Reconsideration.

The Department recommends that the Commission deny Qwest Corporation's request to delegate authority to the Executive Secretary, but supports the request for the Commission to clarify its order with respect to which consumers are to receive a credit.

Sincerely,

/s/ DIANE DIETZ
Public Utilities Rate Analyst

/s/ JOY GULLIKSON
Public Utilities Rate Analyst

DD/JG/jl
Attachment



Before the Minnesota Public Utilities Commission

Response of the Minnesota Department of Commerce

Docket No. P421/C-17-796

I. BACKGROUND

On September 24, 2018, Qwest Corporation dba CenturyLink (CenturyLink) filed a request for clarification and reconsideration of the Commission's September 12, 2018 Order In the Matter of a Commission Inquiry into CenturyLink's Compliance with TAP Statutes and Rules.

CenturyLink asks

1. That the Commission delegate to Staff the review and approval of reports required by Sections 1a and 1e of the Order.
2. That the Commission clarify the requirement to provide credits to customers.

II. REQUEST TO DELEGATE TO STAFF THE REVIEW AND APPROVAL OF REPORTS.

CenturyLink requests that review of the reports required by the Commission in its Order be delegated to the Executive Secretary. The reports are:

From ordering paragraph 1.a. An explanation of how employees are trained to ensure that customers are given accurate TAP program information. The explanation must include training material, which customer service representative groups receive TAP training, the frequency with which CenturyLink personnel receive ongoing training to ensure that the TAP program is understood, and any additional information to demonstrate that CenturyLink is taking appropriate steps to achieve the statutory goal of making the TAP program available to eligible Minnesotans.

From ordering paragraph 1.e. A report identifying each Minnesota customer denied TAP benefits over the last two years due to receiving Lifeline benefits from another provider. The report must include the following documentation:

- i. The length of time each affected customer was denied TAP benefits;
- ii. Whether the customer is currently enrolled in TAP;
- iii. Whether the Company has now enrolled the customer or a statement explaining why the customer is not enrolled;

- iv. The amount of TAP credits that should have been provided had the customer been properly enrolled.

The Department believes that CenturyLink should file its reports as a formal part of this Docket, and parties should have an opportunity to comment. The Department would like the opportunity to review CenturyLink's submission, and if there are concerns, to bring it before the Commission for a determination. If there is no controversy, the matter can be placed on the Commission's consent calendar.

The Department sees no efficiencies in CenturyLink's proposal. Uncertainty regarding time frames and notice are unnecessary. To the contrary, the 'formal' system is more efficient than an informal and unknown process. If other parties have different concerns from the Commission staff, those parties can place their concerns on the record for the Commission's consideration before the matter is closed. Even if other parties raise concerns, but agreement is then reached by all interested parties, the matter can be placed on the Commission's consent calendar.

III. REQUEST FOR CLARIFICATION REGARDING HOW TO HANDLE CREDITS.

CenturyLink asks for clarification of the Commission's order on how credits should be implemented with respect to customers that no longer receive service from CenturyLink or never received service from CenturyLink. CenturyLink offers no proposal for Commission consideration.

The Department agrees that it would be helpful if the Commission clarified how customers without current CenturyLink service should receive credits. It is reasonable to assume that there were customers that terminated their relationship with CenturyLink, or never subscribed to service with CenturyLink, because they could not afford the price of telephone service in the absence of the Lifeline credit. There will be no restitution for these customers if a credit is only provided to existing CenturyLink customers. Customers who were denied the Lifeline credit were required to provide an address and contact information in the application process, and due diligence should enable CenturyLink to reach many, if not most, of these customers.

While it is appropriate for CenturyLink to make its customers whole, CenturyLink was not found to have violated either Minnesota statutes or Commission rules in this proceeding. So, the Department believes it is acceptable for the credit to be applied only to existing CenturyLink customers.

IV. SUMMARY

The Department recommends that the Commission reject CenturyLink's proposal to delegate authority to the Executive Secretary regarding the reports CenturyLink must file, but the Commission may clarify that if all parties are in agreement, these reports may be approved through the consent calendar process. The Department also recommends that the Commission clarify how credits should be distributed to consumers, and to find that the credits should only be applied to existing CenturyLink customers.

/jl

CERTIFICATE OF SERVICE

I, Sharon Ferguson, hereby certify that I have this day, served copies of the following document on the attached list of persons by electronic filing, certified mail, e-mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

**Minnesota Department of Commerce
Response to Qwest Corporation's Motion for Clarification and Reconsideration**

Docket No. P421/C-17-796

Dated this 1st day of October 2018

/s/Sharon Ferguson

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Linda	Chavez	linda.chavez@state.mn.us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 55101-2198	Electronic Service	No	OFF_SL_17-796_Official PUC
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1800 St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_17-796_Official PUC
Ian	Dobson	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012130	Electronic Service	No	OFF_SL_17-796_Official PUC
Ron	Elwood	relwood@mnlsap.org	Mid-Minnesota Legal Aid	2324 University Ave Ste 101 Saint Paul, MN 55114	Electronic Service	No	OFF_SL_17-796_Official PUC
Lisa	Herdman	lisa.herdman@vertixinc.com	Vertex, Inc.	2301 Renaissance Blvd King of Prussia, PA 19406	Paper Service	No	OFF_SL_17-796_Official PUC
Jason	Topp	jason.topp@centurylink.com	CenturyLink	200 S 5th St Ste 2200 Minneapolis, MN 55402	Electronic Service	Yes	OFF_SL_17-796_Official PUC
Daniel P	Wolf	dan.wolf@state.mn.us	Public Utilities Commission	121 7th Place East Suite 350 St. Paul, MN 551012147	Electronic Service	Yes	OFF_SL_17-796_Official PUC