

STATE OF MINNESOTA  
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger  
Nancy Lange  
Dan Lipschultz  
John Tuma  
Betsy Wergin

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

**In the Matter of Qwest Wholesale Service  
Quality Standards**

**Docket No. P-421/M-00-849**

**COMMENTS OF JOINT CLECS**

Pursuant to the Commission's *Notice Soliciting Comments*,<sup>1</sup> Integra Telecom of Minnesota, Inc. and Eschelon Telecom of Minnesota, Inc. (collectively "Integra"), Level 3 Communications, LLC, **tw telecom of Minnesota llc**, Broadwing Communications, LLC, Global Crossing Local Services, Inc. (collectively "Level 3 affiliated companies"), TDS Metrocom LLC, and Velocity Telephone, Inc. ("Joint Competitive Local Exchange Carriers," or "Joint CLECs"), respectfully provide these comments in response to the Qwest Corporation dba CenturyLink QC ("CenturyLink") letter requesting the Commission discontinue the Minnesota Wholesale Service Quality Plan adopted under Docket No. P-421/M-00-849.

CenturyLink has requested discontinuance of its Minnesota Wholesale Service Quality Plan.<sup>2</sup> CenturyLink justifies its request by noting that no competitive local exchange carrier ("CLEC") has wholesale service quality governed by the Minnesota Wholesale Service Quality

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<sup>1</sup> *Notice Soliciting Comments*, In the Matter of Qwest Wholesale Service Quality Standards, MN PUC Docket No. P-421/M-00-849, June 10, 2015.

<sup>2</sup> CenturyLink Letter ("Letter Requesting Discontinuance"), In the Matter of Qwest Wholesale Service Quality Standards, MN PUC Docket Number: P-421/M-00-849, June 1, 2015.

Plan<sup>3</sup> and that instead, CLECs have chosen to have wholesale service quality governed by the Minnesota Performance Assurance Plan (“MPAP”).<sup>4</sup>

The Joint CLECs purchase wholesale products from incumbent carriers such as CenturyLink, which are then used as inputs into many of the Joint CLECs’ retail service offerings. Most of the wholesale products purchased by the Joint CLECs are purchased through Interconnection Agreements, and wholesale service quality for these products is governed by CenturyLink’s MPAP.<sup>5</sup> Wholesale service quality within the MPAP is measured and compared against either a benchmark or CenturyLink’s retail service quality, depending on the particular product being measured. For certain measures in the MPAP, performance below the standard will result in automatic payments to CLECs. Therefore, the MPAP is an essential tool relied upon by the Joint CLECs to monitor and incent wholesale service quality. After a Minnesota Supreme Court ruling eliminated the payments associated with the Minnesota Wholesale Service Quality Plan,<sup>6</sup> CLECs such as Eschelon, which had previously relied upon the Minnesota Wholesale Service Quality Plan, opted into the MPAP.

Today, the Joint CLECs continue to rely upon the MPAP and do not separately review or use the information contained in the Minnesota Wholesale Service Quality Plan. The MPAP can only be changed upon approval by the Commission<sup>7</sup> and the Commission has authority to resolve disputes that arise under the MPAP.<sup>8</sup>

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<sup>3</sup> *Letter Requesting Discontinuance*, p. 2.

<sup>4</sup> *Letter Requesting Discontinuance*, p. 1.

<sup>5</sup> The MPAP can be found at <http://www.centurylink.com/wholesale/clecs/nta.html> under Exhibit K.

<sup>6</sup> *In Re Qwest’s Wholesale Service Quality Standards*, 702 N.W.2d 746 (Minn. 2005).

<sup>7</sup> Exhibit K – Redesigned PAP CenturyLink QC’s Performance Assurance Plan, Section 17.2.

<sup>8</sup> Exhibit K – Redesigned PAP CenturyLink QC’s Performance Assurance Plan, Section 16.2 and 16.4.

The Joint CLECs appreciate this opportunity to reinforce the value of the MPAP to the Commission. The Joint CLECs do not take a position on CenturyLink's request to discontinue its Minnesota Wholesale Service Quality Plan, and for the reasons stated in these comments, the Joint CLECs will not oppose CenturyLink's request.

Dated this 10<sup>th</sup> day of July, 2015.

On behalf of the Joint CLECs

A handwritten signature in black ink, appearing to read 'Douglas Denney', with a stylized flourish at the end.

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