

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 22AL-0356T

IN THE MATTER OF ADVICE LETTER NO. 3165 FILED BY QWEST CORPORATION D.B.A. CENTURYLINK QC TO AMEND THE ESINET TARIFF TO PROVIDE A MORE ROBUST REPORTING TOOL CALLED THE EMERGENCY CALL TRACKING SYSTEM, TO BECOME EFFECTIVE SEPTEMBER 16, 2022.

**COMMISSION DECISION SUSPENDING EFFECTIVE
DATE OF TARIFF SHEETS, SETTING MATTER FOR
HEARING, REFERRING PROCEEDING
TO AN ADMINISTRATIVE LAW JUDGE, AND
ESTABLISHING NOTICE AND INTERVENTION PERIOD**

Mailed Date: September 14, 2022

Adopted Date: September 14, 2022

IMPORTANT NOTICE: ANY PERSON DESIRING TO PARTICIPATE ONLY BY MAKING A STATEMENT MAY DO SO BY SUBMITTING A WRITTEN COMMENT THROUGH <https://puc.colorado.gov/> INDICATING PROCEEDING NO. 22AL-0365T. IF YOU DESIRE TO ASK QUESTIONS OF A WITNESS OR OTHERWISE PARTICIPATE AS A PARTY IN THIS MATTER, YOU MUST REQUEST PERMISSION FROM THE COMMISSION TO BE AN INTERVENOR (EVEN IF YOU HAVE ALREADY FILED AN OBJECTION). ANYONE DESIRING TO INTERVENE MUST CAREFULLY FOLLOW THE LAW AND COMMISSION RULES FOR BECOMING AN INTERVENOR. FOR FURTHER INFORMATION ON HOW TO INTERVENE, CALL (303) 894-2070 (PUC EXTERNAL AFFAIRS OFFICE).

I. BY THE COMMISSION

A. Statement

1. On August 15, 2022, Qwest Corporation, doing business as CenturyLink QC (CenturyLink) filed Advice Letter No. 3165 (AL 3165) with tariff sheets to modify CenturyLink Colo. P.U.C. No. 25 Section 9.2.5, Emergency Reporting Service.

2. This Decision sets for hearing the tariff sheets filed with AL 3165 and suspends their effective date to January 14, 2023.

3. We refer this matter to an Administrative Law Judge (ALJ).

4. A pleading to intervene in this matter may be filed by any person, firm, or corporation desiring to be a party and fully participate in this Proceeding no later than October 14, 2022.

B. Discussion

5. The Advice Letter and tariff sheets modify CenturyLink Colo. P.U.C. No. 25 Section 9.2.5, Emergency Reporting Service, by replacing subsections 9.2.5.B.23.I and 9.2.5.E.6 and adding subsection 9.2.5.B.23.II, which describe a new feature to be included as part of CenturyLink's Next Generation 9-1-1 Emergency Services Internet Protocol Network (ESInet). CenturyLink states that the purpose of this filing is to "provide a more robust reporting tool called the Emergency Call Tracking System ('ECaTS')."

6. CenturyLink describes the proposed ECaTS feature of its ESInet service as "PSAP [Public Safety Answering Point] Management Information System (MIS) Call Handling Reporting," and lists 26 reports that would be available to governing bodies and PSAPs as related to voice 9-1-1 calls, and 16 reports for text-to-911 service, if the PSAP is using a text-to-911 service that is compatible. This may be compared to the reporting feature that is found in CenturyLink's existing tariff, known as Clear View, which includes eight reports regarding voice 9-1-1 calls and no reports regarding text-to-911 calls.

7. The amended tariff sheets would also increase the monthly recurring charges paid by governing bodies and PSAPs for the ESInet service from \$752.22 per month per concurrent

session to \$816.30 per month per concurrent session.¹ CenturyLink requests that the tariff pages accompanying AL 3165 become effective on September 16, 2022.

8. On September 2, 2022, Douglas County Emergency Telephone Service Authority, El Paso-Teller County Emergency Telephone Service Authority, and Boulder Regional Emergency Telephone Service Authority (collectively, the “Authorities”) jointly filed a protest requesting that the tariff sheets filed under AL 3165 be set for hearing and their proposed effective date be suspended.

9. In their protest filing, the Authorities request a hearing on the tariff amendment to allow 9-1-1 stakeholders to “examine and investigate the basis for the proposed amount of the ECaTS Tariff rates prior to it taking effect.” The Authorities also state that the reports that would be provided as part of the feature omit “certain reporting and analysis modules” which the Authorities believe would be useful in administration of the service, and that the tariff does not provide for customers of the service to purchase these modules independently of the tariffed service.

C. Conclusions and Findings

10. Pursuant to § 40-6-111(1), C.R.S., the Commission may, in its discretion, set the tariff pages for hearing and suspend the effective date for 120 days from the proposed effective date. If the Commission does not establish new tariff provisions before the expiration of the suspension period of 120 days, or, in this proceeding, January 14, 2023, the tariff pages filed by CenturyLink may become effective.

¹ A “concurrent session” means a channel for an inbound simultaneous 9-1-1 call. See 4 CCR 721-2-2131(o).

11. We find good cause to suspend the effective date of the tariff pages submitted with AL 3165 and to set this matter for hearing.

12. A pleading to intervene may be filed by any person, firm, or corporation desiring to be a party and fully participate in this proceeding, as ordered below. The filing of any other document protesting the tariff pages shall not allow participation as an intervenor in this matter.

13. This matter is referred to an Administrative Law Judge for the issuance of a recommended decision.

II. ORDER

A. The Commission Orders That:

1. The proposed September 16, 2022 effective date of the tariff pages filed by Qwest Corporation, doing business as CenturyLink QC (CenturyLink) with Advice Letter No. 3165 (AL 3165), is suspended for 120 days until January 14, 2023, or until further order of the Commission.

2. This matter is set for hearing before an Administrative Law Judge. The Administrative Law Judge shall set a hearing date, rule on interventions, and establish other procedures by separate decision(s).

3. Any person, firm, or corporation, including any who have previously filed a document protesting the proposed tariff pages, who desire to intervene and participate as a party in this proceeding shall file a motion to intervene with the Commission, or other appropriate pleading, no later than October 14, 2022, and shall serve a copy of the notice or motion on CenturyLink's attorney of record.

4. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
September 14, 2022.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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JOHN GAVAN

MEGAN M. GILMAN

Commissioners