

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 23M-0236T

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IN THE MATTER OF THE FILING OF PERIODIC REPORTS BY CERTIFIED BASIC EMERGENCY SERVICE PROVIDERS PURSUANT TO 4 CODE OF COLORADO REGULATIONS 723-2-2130 THROUGH 2159.

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**COMMISSION DECISION ORDERING  
SUPPLEMENTAL FILING**

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Issued Date: June 2, 2025  
Adopted Date: May 21, 2025

**I. BY THE COMMISSION**

**A. Statement**

1. By this Decision, the Colorado Public Utilities Commission (“Commission”) issues this Decision to Qwest Corporation doing business as CenturyLink QC (“CenturyLink”) to make a supplemental filing to its March 31, 2025, Periodic Report in Proceeding 23M-0236T.<sup>1</sup>

2. Rule 2134(e), 4 *Code of Colorado Regulations* (“CCR”) 723-2, requires each basic emergency service provider (“BESP”) actively providing basic emergency service (“BES”) to file with the Commission updates regarding any changes to certain required information further outlined in Rule 2134(c). Additionally, the BESP shall include with this filing an attestation that the information provided is true, accurate, and correct, and that the BESP remains financially and administratively sound and capable of providing the BES offered in its current tariff(s).

3. CenturyLink filed its report on March 31, 2025, into Proceeding No. 23M-0236T. Several items required by rules are missing from the report.

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<sup>1</sup> CenturyLink also does business as Lumen Technologies, a name which appears in the periodic report.

4. CenturyLink is hereby ordered to file an amendment to the report with the required information no later than June 30, 2025, consistent with the discussion below.

**B. Background**

5. On June 13, 2024, the Commission issued Decision No. R24-0403, in Proceeding No. 23R-0577T, which adopted final rules and included the Rule 2134(e) clarified language requiring BESP to provide updates to its application every two years, and specified a start date of March 30, 2025, for such updates. No exceptions were filed in response to the decision, and the adopted rules were finalized later in 2024.

6. On March 31, 2025, CenturyLink filed its report, titled “CenturyLink BESP Periodic Report.” CenturyLink has not filed a request for waiver from any of the adopted rule requirements, nor has it requested an extension for filing the required items listed in Rule 2134.

7. Upon review, there appear to be several missing items, which are required by Rule 2134.

**C. Missing Items and Direction**

8. Rule 2134(e) states:

By March 30, 2025, and each two years thereafter, each BESP actively providing BES shall file with the Commission updates regarding any changes to the following required information in paragraph (c): items (I)-(IV), (XII)-(XVIII), (XX)-(XXV), and (XXIX)(A)-(C). Additionally, the BESP shall include with this filing an attestation that the information provided is true, accurate, and correct, and that the BESP remains financially and administratively sound and capable of providing the BES offered in its current tariff(s).

9. In the report filed March 31, 2025, CenturyLink failed to adequately answer the following requirements. As identified below, we list the required items omitted in CenturyLink’s March 31, 2025, filing that are required by Rule 2134(c), as directed by Rule 2143(e). CenturyLink

shall file the required filings in this proceeding via a supplemental filing no later than June 30, 2025.

**1. Rule 2134(c)(XVII) – Affiliated Company Description**

10. Rule 2134(c)(XVII) requires “a description of the applicant’s affiliation, if any, with any other company and the name and address of all affiliated companies.” CenturyLink’s report lists company names but fails to provide a description of the applicant’s affiliation and also fails to provide the addresses of reported companies. CenturyLink must provide a description of each of the listed companies’ affiliation with CenturyLink, i.e. a description of what each company does regarding the provision of BES in Colorado and provide the address of each listed company.

**2. Rule 2134(c)(XX) – Officer and Director Business Addresses**

11. Rule 2134(c)(XX) requires “the names, business addresses, and titles of all officers, directors, partners, agents and managers who will be responsible for the provisioning of BES in Colorado.” The list of Officers and Directors filed in CenturyLink’s report lacks the businesses addresses of those listed.

12. CenturyLink must provide the business address of each person listed in the report.

**3. Rule 2134(c)(XXI) – BES Related Agreements**

13. Rule 2134(c)(XXI) requires “any management contracts, service agreements, marketing agreements or any other agreements between the applicant and any other entity, including affiliates of the applicant, that relate to the provisioning of BES in Colorado.” In response, CenturyLink stated that it “is party to an Agreement for Services between Intrado and Qwest, dated March 1, 2004, plus exhibits, amendments and statements of work.” However, CenturyLink failed to provide a copy of the referenced Agreement for Services or any of the exhibits, amendments, or statements of work. Additionally, it is the Commission’s

understanding that CenturyLink's agreement with Intrado is not the only "contract, service agreement, marketing agreement or any other agreement" between CenturyLink and any other entity, including affiliates of the applicant, that relate to the provisioning of BES in Colorado.

14. CenturyLink must provide management contracts, service agreements, marketing agreements, or any other agreements between itself and all affiliates, including Intrado, with which it has agreements related to the provisioning of BES in Colorado, including all companies and affiliates with which CenturyLink has agreements for the transport of 9-1-1 calls to a primary demarcation point. For instance, from other proceedings, the Commission is aware that CenturyLink has agreements related to the transport of 9-1-1 calls with Western Area Power Association, Platte River Power Authority, and other fiber facilities providers, none of which are mentioned in CenturyLink's report. These agreements may be filed confidentially, as appropriate and necessary.

#### **4. Rule 2134(c)(XXII) – Unaffiliated Service Providers**

15. Rule 2134(c)(XXII) requires "an applicant which has contracted with or is otherwise relying upon one or more unaffiliated service providers to provide a major component of BES under its certificate shall identify all such contracts or unaffiliated service providers and which services they are providing. For the purposes of this section, a 'major component' means call aggregation, transport, routing, location information, and database services." CenturyLink failed to provide the names of the unaffiliated service providers and failed to identify which services they are providing.

16. CenturyLink stated, "The company has transport agreements with unaffiliated service providers to facilitate carrying some traffic that would fall under BES. These agreements cover additional traffic and services beyond BES." Because these agreements cover traffic which

falls under BES, CenturyLink must identify the names of the unaffiliated service providers and identify which services they are providing.

### **5. Rule 2143(c)(XXIII) – Court and Regulatory Actions**

17. Rule 2143(c)(XXIII) requires:

identification of any of the following actions by any court, regulatory body, agency or official within the last five years regarding the provisioning of regulated communications services by the applicant, by any of applicant's agents, officers, board members, managers, partners, or management company personnel, or by any of applicant's affiliates that resulted in:

- (A) assessment of fines or civil penalties;
- (B) assessment of criminal penalties;
- (C) injunctive relief;
- (D) corrective action;
- (E) reparations;
- (F) a formal complaint proceeding brought by any regulatory body;
- (G) initiation of or notification of a possible initiation of a disciplinary action by any regulatory body, including but not limited to any proceeding to limit or to place restrictions on any authority to operate any CPCN or any service offered;
- (H) refusal to grant authority to operate or to provide a service;
- (I) debarment from providing services in any other jurisdiction or bidding on state or federal contracts;
- (J) limitation, de-certification, or revocation of authority to operate or to provide a service; or
- (K) any combination of the above.

18. CenturyLink's original response to this requirement is insufficient. The response does not answer the requirement, and instead directs the Commission to a Form on its annual Form 10-K report to the U.S. Securities and Exchange Commission ("Form"). The Form, once found, does not detail the required information. The Commission is aware of at least two actions that must be reported under this requirement: Nebraska Public Service Commission Application

No. 911-075/PI-248 in conjunction with Application No. 911-077/C-5581/PI-252<sup>2</sup>, and a fine the FCC proposed against Lumen for apparent 911 rule violations October 17, 2023.<sup>3</sup> These two instances are provided as examples, and are not meant to be all-inclusive. CenturyLink must provide, in a clear format, a list of all such actions of which it is aware, that meet the requirements set forth by Rule 2143(c)(XXIII).

#### **6. Rule 2143(c)(XXIV) – Associated Docket and Case Numbers**

19. Rule 2143(c)(XXIV) requires: “[f]or each item identified in subparagraph (XXIII) of this paragraph: an identification of the jurisdiction, summary of any applicable notification of a possible initiation or pending procedure, including the docket, case, or file number, and upon the request of the Commission or its Staff, a copy of any written decision.”

20. Once the requirements in the previous paragraph are satisfied, CenturyLink must also provide the information required in this subparagraph. At this time, a copy of the written decisions associated is not requested by the Commission to be filed in this proceeding, docket, case, or file numbers associated with the correlating proceedings are sufficient.

#### **7. Rule 2143(c)(XXIX)(B) – Inter-Company Agreement List and Description**

21. Rule 2143(c)(XXIX)(B) requires “[a] detailed statement describing the means by which it will provide basic emergency service. This statement shall include, but is not limited to: (B) all inter-company agreements used to implement and operate the service”. CenturyLink’s response to this is insufficient, as it points back to the affiliates listed in subparagraph (XVII). However, for the reasons enumerated above, this list is in and of itself

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<sup>2</sup> <https://psc.nebraska.gov/lumen-affiliates-911-outage-investigation>

<sup>3</sup> <https://www.fcc.gov/document/fcc-issues-notice-apparent-liability-against-lumen>

insufficient. CenturyLink must provide a detailed statement for each inter-company agreement that describes the service each inter-company agreement provides.

#### **8. Rule 2143(c)(XXIX)(C) – Interconnection Agreements**

22. Rule 2143(c)(XXIX)(C) requires “[a] list of all interconnection agreements between the BESP and basic local exchange carriers, wireless carriers, other BESP, and other telecommunications providers.” CenturyLink responds to this requirement by stating that “All of Qwest Corporation's ILEC interconnection agreements are on file with the Commission.”

23. This response is insufficient for two reasons: (1) it is counter to the intent of the rule to require individuals reviewing the report to search the Commission’s e-filing systems for all related interconnection agreements; and (2) ILEC interconnection agreements are only one class of interconnection agreements required by the rule and would not encompass “wireless carriers” or “other telecommunications providers.”

24. CenturyLink must provide in its amendment a list of the required information.

#### **9. Rule 2143(e) - Attestation**

25. Rule 2143(e) further requires in part “... the BESP shall include with this filing an attestation that the information provided is true, accurate, and correct, and that the BESP remains financially and administratively sound and capable of providing the BES offered in its current tariff(s).”

26. In response to the requirement for an attestation, CenturyLink stated, “See attached (Carter Affidavit pdf)”; however, no such document was included in the filing. CenturyLink must provide the required attestation.

**D. Conclusion**

27. No later than June 30, 2025, CenturyLink must file a supplement to its March 31, 2025, report to meet the requirements set forth in Rule 2134(e), 4 CCR 723-2, as discussed above.

**II. ORDER**

**A. The Commission Orders That:**

1. CenturyLink must file a supplement to its report filed March 30, 2025, with the information required by rules as listed above.

2. The supplemental filings must be made to Proceeding No. 23M-0236T, Periodic Reports by Basic Emergency Service Providers, no later than June 30, 2025.

3. This Decision is effective upon its Issue Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
May 21, 2025.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

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Commissioners