

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

**Docket No. 12F-969T**

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**COLORADO ASSOCIATION OF HOME BUILDERS**

**and the**

**HOUSING AND BUSINESS ASSOCIATION OF COLORADO SPRINGS,**

**Complainants,**

**v.**

**QWEST CORPORATION DBA CENTURYLINK QC,**

**Respondent.**

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**Settlement Agreement**

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This agreement is entered to resolve the above-captioned docket, as follows:

1. The parties are currently engaged in the above-captioned case, which involves a dispute over the withdrawal of Colorado's LDA tariff and its replacement with a filing in the CenturyLink QC catalog for provisioning agreement for housing developments (the "PAHD" catalog).
2. Among the disputes between the parties is the role of third party trenching agents, sometimes called "reverse agents."
3. All parties regarding the disputed tariffs agree that the placement of facilities be done promptly, safely, at a reasonable cost, with coordination among builders, developers, CenturyLink QC, and other utilities.
4. To resolve their differences, the parties agree to the following:
  - a. CenturyLink will allow and will make available to persons who have acted as reverse agents pursuant to the LDA tariff, and others identified by Complainants, the standard processes and opportunities to become certified with CenturyLink as a line extension contractor or its equivalent, under a master services agreement, consistent with the processes available to all potential CenturyLink contractors, to work as CenturyLink-approved contractors.
  - b. In addition, for the identified reverse agents and other identified by Complainants, CenturyLink will make good faith efforts to introduce and facilitate the fair consideration of such persons by

existing CenturyLink line extension contractors or their equivalent(s), even if those persons do not become qualified as CenturyLink line extension contractors.

- c. CenturyLink QC agrees to meetings, no less often than quarterly, with Complainants to discuss the integration of reverse agents, and others, with the process agreed to above. Such quarterly meetings may include discussions of additional contractors who could be added as CenturyLink QC-approved contractors, as well as general issues related to infrastructure installation and the timing of such installation.
- d. Moving forward, the Colorado Public Utilities Commission shall retain its existing jurisdiction over the PAHD catalog and this settlement agreement. This section shall not be interpreted to expand or confer any jurisdiction upon the Commission, but merely to preserve its existing authority and jurisdiction.

Within thirty days following the execution of this settlement agreement, the parties will file a joint motion to dismiss the above complaint.

AGREED:

QWEST CORPORATION DBA CENTURYLINK QC

By: 

Timothy J. Goodwin, No. 21858

Associate General Counsel

Date: 3/22/2013

COLORADO ASSOCIATION OF HOMEBUILDERS

By: 

Amie Mayhew

Chief Executive Officer

Date: 4/12/2013

HOUSING & BUILDING ASSOCIATION OF COLORADO SPRINGS

By: 

Bobby Ingels

Chairman, Public Policy Council

Date: 4/11/2013