

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14V-0109T

IN THE MATTER OF THE APPLICATION OF QWEST COMMUNICATIONS COMPANY LLC DBA CENTURYLINK QCC, EMBARQ COMMUNICATIONS, INC. DBA CENTURYLINK COMMUNICATIONS, CENTURYTEL LONG DISTANCE, LLC DBA CENTURYLINK LONG DISTANCE, AND QWEST LONG DISTANCE CORP FOR APPROVAL OF ENTITY CONSOLIDATION AND PETITION FOR WAIVER OF APPLICABLE SLAMMING RULES.

DECISION GRANTING WAIVER

Mailed Date: March 14, 2014
Adopted Date: March 12, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a joint application filed by Qwest Communications Company, LLC (QCC), Embarq Communications, Inc. (ECI), CenturyTel Long Distance, LLC (CLD), and Qwest LD Corp. (QLDC) (collectively Applicants) for a waiver of Rules 2311(b)(I), (II)(A), and (II)(C) of the *Rules Regulating Telecommunications Providers, Services, and Products*, 4 *Code of Colorado Regulations* 723-2. The application was filed on January 30, 2014.

2. The Applicants request a waiver of the rules in order to transfer long distance customers of ECI, CLD, and QLDC to QCC without the need to obtain authorization and verification from each individual customer, as the transfer will be transparent to affected customers.

3. ECI, CLD, and QLDC are toll resellers and have each registered as a toll reseller with the Commission. Although an application for a transfer is not required for toll resellers, they must nonetheless comply with the slamming restrictions contained in Commission Rules.

4. QCC holds a Certificate of Public Convenience and Necessity to provide regulated telecommunications services. This authority was granted in Decision No. C04-0348, proceeding No. 04A-083T on April 2, 2004. QCC is also a registered toll reseller.

5. All four of the applicants currently exist and will continue to exist following the contemplated transfer of customers under the same corporate parent, CenturyLink, Inc. The filing represents that following the completion of the transfer, ECI, CLD, and QLDC will relinquish their toll reseller registrations. The rates, terms, and conditions of the services offered by ECI, CLD, and QLDC will not change following the transfer to QCC.

6. Applicants represent that all affected customers will be provided notice of the transfer of service in their bills beginning in February 2014. The specific text for the customer notification is provided in the joint application. The transaction and movement of customers is an internal one and bills will continue from the "CenturyLink" brand.

7. Notice of the application was issued on February 5, 2014. Interventions were due on or before March 7, 2014. None have been filed.

8. We find that the Applicants have shown good cause to grant the application for waiver. Therefore, we grant QCC, ECI, CLD, and QLDC's application for waiver of Rule 2311, solely for this transaction. Our grant of the application is based on our understanding that Applicants will comply with Commission rules regarding providing notice to affected customers at least 45 days prior to the transfer of customers. We find that the drafted customer notice language that was included in the application is acceptable.

II. ORDER**A. The Commission Orders That:**

1. The application of Qwest Communications Company, LLC, Embarq Communications, Inc., CenturyTel Long Distance, LLC, and Qwest LD Corp., for a waiver of Rule 2311 is deemed complete and granted.

2. The 20-day period provided for in § 40-6-114, C.R.S., within which to file applications for rehearing, reargument, or reconsideration begins on the first day following the effective date of this Decision.

3. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 12, 2014.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners