

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0408T

IN THE MATTER OF THE JOINT APPLICATION OF QWEST CORPORATION DBA CENTURYLINK QC ("CENTURYLINK QC") AND WILLARD TELEPHONE COMPANY TO REARRANGE THEIR EXCHANGE AREA BOUNDARIES AND CENTURYLINK QC'S APPLICATION TO RELINQUISH DESIGNATION AS PROVIDER OF LAST RESORT AND CENTURYLINK QC'S PETITION FOR A WAIVER FROM COMPLIANCE WITH THE COMMISSION'S REQUIREMENT THAT NEWSPAPER NOTICE BE PUBLISHED CONCERNING THE RELINQUISHMENT OF ITS PROVIDER OF LAST RESORT OBLIGATIONS.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
ROBERT I. GARVEY
SCHEDULING PREHEARING CONFERENCE**

Mailed Date: June 25, 2014

I. STATEMENT

1. On May 1, 2014, Qwest Corporation, doing business as CenturyLink QC (Applicant) filed the above-captioned application.

2. On June 4, 2014, Bresnan Broadband of Colorado, LLC (Bresnan) timely filed its Motion to Intervene and Request for Hearing in this proceeding. In this filing, Bresnan does not state that it opposes or contests the Application.

3. Applicant did not file its direct testimony and exhibits at the time it filed the Application. By Minute Order, the Commission deemed the Application complete as of June 11, 2014. Accordingly and pursuant to § 40-6-109.5, C.R.S., absent an enlargement of time by the

Commission¹ or Applicant's waiver of the statutory provision, a Commission decision on the Application should issue on or before 210 days from that date (*i.e.*, **January 7, 2015**).

4. It is necessary to schedule a hearing, to establish a procedural schedule, and to discuss discovery and other matters. To do so, a prehearing conference will be held on **July 8, 2014**.

5. The Parties must be prepared to discuss the following: (a) the date by which Applicant will file its direct testimony and exhibits; (b) the date by which each intervenor will file its answer testimony and exhibits; (c) the date by which Applicant will file its rebuttal testimony and exhibits; (d) the date by which each party will file its corrected testimony and exhibits; (e) the date by which each party will file its prehearing motions;² (f) the date for a final prehearing conference, if one is necessary; (g) the date by which the Parties will file any stipulation reached; (h) the hearing dates; and (i) the date by which each party will file its post-hearing statement of position, to which no response will be permitted.

6. At the prehearing conference, if they wish to do so, the Parties may propose, in lieu of prefiling complete testimony, the filing of a list of witnesses and complete copies of documents to be offered as exhibits. If a list of witnesses will be filed, for each witness (except a witness offered in rebuttal), the following information would be provided: (a) the witness's name; (b) the witness's address; (c) the witness's business or daytime telephone number; and (d) a statement of the testimony that the witness is expected to give.

¹ Section 40-6-109.5(4), C.R.S., allows an additional 90 days upon a finding of extraordinary circumstances.

² This date can be no later than the earlier of seven calendar days before the first day of hearing *or*, if a final prehearing conference is scheduled, two business days before the final prehearing conference.

If a final prehearing conference is scheduled, then argument on prehearing motions will be heard at the final prehearing conference. If there is no final prehearing conference, then argument on prehearing motions will be heard as a preliminary matter on the first day of hearing.

7. In considering a procedural schedule and hearing dates, and assuming the Applicant does not waive § 40-6-109.5, C.R.S., one must take into consideration the date by which a Commission decision on the Application should issue (*i.e.*, January 7, 2015). In addition, one must consider the ALJ's schedule and must allow adequate time for post-hearing statements of position, a recommended decision, exceptions to the recommended decision, response to exceptions, and a Commission decision on exceptions. Taking these elements into consideration, the **hearing must be concluded no later than October 3, 2014**.

8. The Parties must be prepared to discuss any matter pertaining to discovery if the procedures and timeframes contained in Rule 4 *Code of Colorado Regulations* 723-1-1405 of the Commission's Rules of Practice and Procedure are not sufficient.

9. A party may raise any additional issue.

10. The undersigned ALJ expects the Parties to come to the prehearing conference with proposed dates, including hearing dates, for the procedural schedule. The Parties must consult prior to the prehearing conference with respect to the listed matters and are encouraged to present, if possible, a procedural schedule and hearing dates that are acceptable to all Parties.

11. If the Parties reach agreement on a procedural schedule, they may file the proposed procedural schedule and a motion to vacate the prehearing conference.

II. ORDER

A. It Is Ordered That:

1. A prehearing conference in this proceeding is scheduled as follows:

DATE: July 8, 2014

TIME: 11:00 a.m.

PLACE: Commission Hearing Room
1560 Broadway, 2nd Floor
Denver, Colorado

2. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge

ATTEST: A TRUE COPY

Doug Dean,
Director