

STATE OF IOWA

DEPARTMENT OF COMMERCE

UTILITIES BOARD

<p>IN RE:</p> <p>REVIEW OF ASSESSMENTS RULES [199 IAC CHAPTER 17]</p>	<p>DOCKET NO. RMU-2016-0025</p>
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COMMENTS OF QWEST CORPORATION D/B/A CENTURYLINK QC

Qwest Corporation d/b/a CenturyLink QC and its regulated affiliates (collectively, “CenturyLink”) submits these comments in response to the Order Requesting Stakeholder Comment on Potential Rule Changes issued by the Iowa Utilities Board (the “Board”) on February 21, 2018. CenturyLink generally supports the Board’s proposed revisions to 199 IAC chapter 17. The shift to more direct assessments and industry direct assessments will better allocate the cost of Board regulation to the entities and industries to which the Board’s attention and resources are devoted.

However, CenturyLink suggests one change to the Board’s proposed revisions. In the revisions to Rule 199 IAC 17.4(1), the Board lists four circumstances in which persons appearing before the Board will not be directly assessed for their participation. CenturyLink believes the Board should also decline to assess persons (including entities) who are named as a defendant in a formal proceeding by a complainant if the complainant withdraws its complaint prior to resolution by the Board. CenturyLink experienced just such a situation when Intrado filed a complaint against CenturyLink in Docket FCU-2014-0011 and then subsequently withdrew the complaint after the Board and parties had devoted significant resources to the case. In that

proceeding, Intrado and CenturyLink were each assessed one-half of the total direct assessments for the proceeding. CenturyLink's share of Board and OCA assessments was over \$23,000. In equity, Intrado should have borne the entire cost of the direct assessments.

Accordingly, CenturyLink proposes that subpart "e" be added to Rule 199 IAC 17.4(1) to read as follows:

e. Any person named as a defendant in a formal complaint proceeding in which the Complainant withdraws its complaint prior to resolution of the complaint by the Board.

This additional exception for direct assessments will ensure that entities bringing complaints before the Board cannot impose costs on defendants that are not justified or equitable.

For the foregoing reasons, CenturyLink recommends that the Board adopt the proposed revisions to 199 IAC chapter 17 with the change CenturyLink suggests above.

Dated: March 23, 2018

Respectfully submitted,

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