

1 BEFORE THE PUBLIC UTILITY COMMISSION

2 OF OREGON

3 UM 1908, UM 2206

4 In the Matters of

5 LUMEN TECHNOLOGIES,

6 Proposed Commission Action Pursuant to
7 ORS 756.515 to Suspend and Investigate
8 Price Plan (UM 1908), and

9 QWEST CORPORATION,

10 Investigation Regarding the Provision of
11 Service in Jacksonville, Oregon and
12 Surrounding Areas (UM 2206)

Hearing Relating to Order Nos. 22-340
and 22-422.

**JOINT MOTION TO AMEND ORDER
NO. 22-340 TO EXTEND PRICE PLAN**

13 **I. MOTION**

14 Pursuant to ORS 756.568, Lumen Technologies, Inc., on behalf of itself and several of its
15 operating companies,¹ Commission Staff, Oregon Citizens' Utility Board ("CUB"), and intervenor
16 Priscilla Weaver respectfully and jointly move the Commission to amend Order No. 22-340, as modified
17 by Order No. 22-422 and affirmed by Order No. 23-109 (collectively, the "Orders"), to extend the
18 current Price Plan by an additional three months, through September 28, 2023, in order to provide the
19 parties additional time to negotiate and reach agreement on terms for a price plan to succeed the original
20 plan.

21 **II. DISCUSSION**

22 The Commission issued Order No. 22-340 on September 23, 2022, adopting Staff's motion to
23 extend the original term of CenturyLink's Price Plan by nine months, through June 28, 2023. In addition
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25 ¹ Lumen Technologies, Inc. is the parent of operating companies Qwest Corporation, United Telephone
26 Company of the Northwest, CenturyTel of Oregon, and CenturyTel of Eastern Oregon. "CenturyLink," as used in
this Request, includes all of these operating companies.

1 to extending the term of the Price Plan, the Orders imposed a number of requirements on CenturyLink to
2 address the service quality issues investigated in Docket UM 2206. Since the Commission issued Order
3 No. 22-340, there have been substantial activities in this proceeding relating to CenturyLink's Request
4 for Hearing filed September 27, 2022, including an evidentiary hearing held December 21, 2022, which
5 culminated in Order No. 23-109, issued March 21, 2023.

6 In addition, the Commission commenced proceedings to consider other modifications to the
7 Price Plan for its next term, following expiration of the original Price Plan. The Commission held a pre-
8 hearing conference for this phase of the case on December 16, 2022, and issued a memorandum setting
9 forth a schedule for the proceeding on December 22, 2022. That schedule established a hearing date of
10 April 27, 2023, and four rounds of pre-filed testimony commencing March 10, 2023. It also called for a
11 number of workshops and settlement conferences.

12 On February 21, 2023, after the parties had participated in one workshop and a settlement
13 conference, Staff filed an unopposed motion to temporarily suspend the schedule for pre-filing testimony
14 in order to provide the parties with additional time to conduct meaningful settlement discussions,
15 including at a settlement conference then scheduled for March 14, 2023. The Commission granted that
16 motion in a Ruling issued February 21, 2023, suspending the dates for filing testimony, and leaving
17 other scheduled dates in place. On Friday, March 10, 2023, CenturyLink's lead attorney on this case
18 departed from his employment at CenturyLink. In order to allow new counsel to get up to speed on the
19 case, and to allow CenturyLink additional time to develop and obtain approval for a comprehensive and
20 meaningful settlement proposal, the parties agreed to reschedule the March 14 settlement conference to
21 March 24, 2023.

22 The parties participated in a settlement conference on March 24, 2023, during which
23 CenturyLink presented, and the parties discussed, a comprehensive settlement proposal.² The parties
24 identified a number of areas that require additional factual investigation and additional discussion that

25 _____
26 ² Intervenor Priscilla Weaver was unable to participate in this conference, and Staff and CUB intend to
discuss the details with Ms. Weaver separately, with CenturyLink's consent.

1 would enable them to negotiate and agree to more specific and detailed terms that could be incorporated
2 into a settlement agreement for the Commission’s consideration and approval.

3 The parties in the March 24 settlement conference agreed that CenturyLink had made a
4 meaningful settlement proposal that merits further investigation and discussion, and that elements of the
5 current schedule—including the April 27, 2023 hearing and the June 28, 2023 conclusion of the current
6 extension to the Price Plan—would make it challenging to devote sufficient time and attention to
7 negotiate and reach agreement on a comprehensive settlement while simultaneously preparing for a
8 hearing. Thus, the parties agreed to jointly move the Commission to amend the Orders to extend the
9 original Price Plan by an additional three months, through September 28, 2023, to allow them the
10 additional time needed to negotiate and agree to a comprehensive settlement. The parties agree that this
11 extension will not prejudice the Commission’s existing efforts to address service quality issues in
12 Docket UM 2206 because the Orders will remain in effect. If the Commission grants this motion, the
13 parties will work with each other and the Commission to establish a schedule for the remainder of the
14 proceeding in the event that they are ultimately unable to reach a settlement.

15 **III. CONCLUSION**

16 For the foregoing reasons, the parties respectfully request that the Commission modify the
17 Orders to extend the current Price Plan by an additional three months, through September 28, 2023.

18 DATED: March 27, 2023

PERKINS COIE LLP

19
20 By: s/ Lawrence H. Reichman
Lawrence H. Reichman, OSB No. 860836
LReichman@perkinscoie.com
21 1120 N.W. Couch Street, Tenth Floor
22 Portland, OR 97209-4128
Telephone: 503.727.2000
23 Facsimile: 503.727.2222

24 Attorneys for Lumen Technologies, Inc.

1 DATED: March 27, 2023

ELLEN F. ROSENBLOOM
Attorney General

2
3 By: s/ Natascha Smith

4 Natascha Smith, OSB No. 174661
5 natascha.b.smith@doj.state.or.us
6 Department of Justice
7 1162 Court Street NE
8 Salem, OR 97301-4096
9 Telephone: 503.947.4520
10 Facsimile: 503.378.3784

11 Attorneys for Staff of the Public Utility
12 Commission of Oregon

13 DATED: March 27, 2023

OREGON CITIZENS' UTILITY BOARD

14 By: s/ Jennifer Hill-Hart

15 Jennifer Hill-Hart, OSB No. 195484
16 jennifer@oregoncub.org
17 610 SW Broadway, Suite 400
18 Portland, OR 97205
19 Telephone: 503.227.1984

20 Attorneys for Oregon Citizens' Utility Board

21 DATED: March 27, 2023

INTERVENOR PRISCILLA WEAVER

22 s/ Priscilla Weaver

23 Priscilla Weaver
24 priscilla@saltmarshranch.com
25 6268 Little Applegate Road
26 Jacksonville, OR 97530
Telephone: 541.899.1672 and
541.899.1988
(tenant line at 6180 LAR)