

BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

Docket UM ____

In the Matter of

UNITED TELEPHONE COMPANY OF THE
NORTHWEST d/b/a CENTURYLINK

Petition to Abandon its Enhanced Frame Relay
Service

**CENTURYLINK'S PETITION TO
ABANDON ITS ENHANCED FRAME
RELAY SERVICE**

United Telephone Company of the Northwest d/b/a CenturyLink ("CenturyLink") hereby petitions the Commission for authority to abandon its Enhanced Frame Relay Service pursuant to OAR 860-032-0020. This petition is a component of CenturyLink's ongoing initiative to retire all of its Frame Relay services and transition affected customers to more current and capable technologies. In 2011, CenturyLink was advised by equipment manufacturer Alcatel-Lucent that the equipment used for Frame Relay service would no longer be manufactured as of December 31, 2011 and that all support would be discontinued as of December 31, 2014. As a result, CenturyLink seeks Commission approval to discontinue the provision of Enhanced Frame Relay Service in Oregon effective June 1, 2015.

Embarq Corporation d/b/a CenturyLink has already applied for, and been granted, authority pursuant to Section 63.71 of the Federal Communications Commission's rules and section 214 of the Communications Act of 1934, as amended, to discontinue its Frame Relay service throughout its service area.¹ CenturyLink's referenced application with the Federal Communications Commission (FCC) for authority to discontinue its Frame Relay service included the territory served by United Telephone Company of the Northwest in Oregon. In accordance with section 63.71(c) of the FCC's rules, CenturyLink's application to discontinue its

¹ See, *In the Matter of Section 63.71 Application of Embarq Corporation d/b/a CenturyLink, Inc. for Authority Pursuant to Section 214 of the Communications Act of 1934, As Amended, To Discontinue the Provision of Service*, WC Docket 14-204, Section 63.71 Application (filed August 26, 2014).

Frame Relay service was deemed automatically granted on December 31, 2014. In this application with the Public Utility Commission of Oregon, CenturyLink seeks state Commission approval pursuant to OAR 860-032-0020 for the abandonment of Enhanced Frame Relay Service in the Oregon territory served by United Telephone Company of the Northwest d/b/a CenturyLink.

STATEMENT OF PERTINENT FACTS

THE REQUIREMENTS FOR THE DISCONTINUATION OF SERVICES

OAR 860-032-0020 provides that a telecommunications utility that intends to discontinue or abandon a regulated intrastate telecommunications service for which there are any current customers must file a petition with the Commission at least 90 days before it intends to abandon the service. OAR 860-032-0020(2), (7)(a).

A telecommunications utility petitioning to abandon a service must also provide certain notifications. OAR 860-032-0020(5), (6).

Further still, if the Commission does not deny the petition or set it for hearing within 90 days after receiving the petition, the petition shall be deemed approved. OAR 860-032-0020(7)(a). There is also a requirement to mail a notification to any affected customer and to any other telecommunications provider affected by the proposed abandonment at the same time that the telecommunications utility files the petition with the Commission. OAR 860-032-0020(7)(b). The telecommunications utility must also file with the Commission a copy of the notification at the same time it mails the notification and files the petition. OAR 860-032-0020(7)(c). The telecommunications utility must also demonstrate the abandonment will not deprive the public of “necessary telecommunications services.” OAR 860-032-0020(7)(d).

Finally, the telecommunications utility must obtain Commission approval before transferring customers to another telecommunications provider. 860-032-0020(7)(e).

REQUEST FOR AUTHORITY TO ABANDON THE SUBJECT SERVICES

The following sets forth the information regarding notifications required by OAR 860-032-0020(5) and (6) and the information required for an abandonment of a regulated service when there are current customers as required by OAR 860-032-0020(7)::

OAR 860-032-0020(5)

(5) Notifications required by this rule shall include the following at a minimum:

- (a) Name of the exiting provider: **United Telephone Company of the Northwest d/b/a CenturyLink.**
- (b) Address and telephone number where the public, customers, Commission staff, and affected telecommunications providers may contact the exiting provider for information regarding the abandonment: **CenturyLink, 310 SW Park Ave., 11th Floor, Portland, Oregon, 97205, 503-242-5089.**
- (c) Description of telecommunications services to be abandoned: **Enhanced Frame Relay Service is a connection-oriented packet-switched data service allowing for the interconnection of Local Area Networks (LAN) or other compatible customer equipment.**
- (d) Identification of geographic areas where the services will be abandoned: **The incumbent service territory of United Telephone Company of the Northwest in Oregon.**
- (e) Date the service(s) will be abandoned: **June 1, 2015 (90 days from the filing of this petition).**
- (f) If applicable, a statement whether customers of the services(s) to be abandoned will be converted to different service(s) offered by the exiting provider, and if so, what customers must do to be converted to the different service(s): **Current customers have the option of moving to alternative CenturyLink services, such as IQ Networking Private Port Service, IQ Public Service, Metro Ethernet or Private Line services. Customers can also turn to other providers of similar services. CenturyLink will not automatically convert an existing Enhanced Frame Relay service customer to another CenturyLink service or to another provider without the customer's approval.**

- (g) If applicable, a statement that all customers will be automatically transferred to a specified receiving provider unless they disconnect or obtain service from another provider. The exiting provider must identify the receiving provider to which customers will be transferred: **Not applicable because customers will not be automatically transferred to a specified receiving provider. See above.**
- (h) If the exiting provider intends to transfer customers to a specified receiving competitive provider and the receiving competitive provider will not accept all customers, a statement that customers may or will lose their service unless they obtain services from a provider of their choice. The exiting provider must provide reasonable means for each customer to determine whether he or she will be accepted by the receiving competitive provider: **Not applicable because customers will not be automatically transferred to a specified receiving provider. See above.**
- (i) If applicable, a statement that service will be abandoned and that customers must obtain the service(s) to be abandoned from another provider: **CenturyLink seeks approval in this petition to abandon its Enhanced Frame Relay service. Current customers have the option of moving to alternative CenturyLink services, such as IQ Networking Private Port Service, IQ Public Service, Metro Ethernet or Private Line services. Customers can also turn to other providers of similar services. CenturyLink will not automatically convert an existing Enhanced Frame Relay service customer to another CenturyLink service or to another provider without the customer's approval.**
- (j) An explanation of how customers may receive a refund of payments or deposits for service they will not receive because of the abandonment: **CenturyLink plans to issue orders associated with any discontinuance of Enhanced Frame Relay Service with an effective bill date which will provide customers with a refund of any charges or deposits billed in advance that extend past the discontinuance date.**
- (k) An electronic document containing the notice in a format suitable for posting on the Commission website. The Commission will post such notification within two business days of receipt from the exiting carrier: **See attached notice, Exhibit A (CenturyLink's customer notice), which CenturyLink also provides to the Commission in Adobe .pdf format for the notice's electronic posting on the Commission's website.**

OAR 860-032-0020(6)

- (6) In addition to other notifications required by this rule, the following notifications are also required at the same time the exiting provider files notice with the Commission. Notifications here required shall include the information required by section (5) of this rule plus the information specified in subsections (6)(a) or (6)(b) of this rule.
 - (a) An exiting provider that intends to abandon any service which allows access to the emergency 9-1-1 reporting system shall:

(A) Mail notification to Oregon Emergency Management, which notification shall include the number of customers affected by the proposed abandonment of service: **Not applicable since there will be no impact on E-911 because Enhanced Frame Relay Service is a data service.**

(B) Provide access to its customer records in the Enhanced 9-1-1 database(s), so that other telecommunications providers can update those customer records: **Not applicable. See above.**

(B) Send a letter to the appropriate Enhanced 9-1-1 database provider(s), with copies to the incumbent local exchange carrier(s), the Commission and Oregon Emergency Management, authorizing the Enhanced 9-1-1 database provider(s) to allow access by other telecommunications providers to any remaining Enhanced 9-1-1 database records belonging to the exiting provider, after the exiting provider has abandoned the service: **Not applicable. See above.**

(b) An exiting provider that intends to abandon service so that it will no longer use a central office code or a thousands block of numbers (i.e., an NXX or an NXX-X) shall notify the North American Numbering Plan Administrator and the national administrator of the Local Exchange Routing Guide: **Not applicable. See above.**

OAR 860-032-0020(7)

(7) A telecommunications utility that intends to abandon any regulated service, whether throughout its service territory or in limited geographic areas, for which there are current customers, shall:

(a) Petition the Commission for authority to abandon the service. The petition shall be filed at least 90 days before the telecommunications utility intends to abandon the service. If the Commission does not deny the petition or set it for hearing within 90 days after receiving the petition, it shall be deemed approved: **This constitutes CenturyLink's petition, and it has been filed at least 90 days before CenturyLink plans to abandon the subject Enhanced Frame Relay Service.**

(b) Mail a notification to each affected customer and to each telecommunication provider affected by the proposed abandonment at the same time it files the petition with the Commission. The notification shall include the information required by section (5) of this rule. In addition, the notification shall include a statement that upon request from affected customers or providers the Commission may, but is not required to, deny the petition or set it for hearing: **See attached notification, Exhibit A.**

(c) File with the Commission a copy of the notification at the same time it mails the notification and files the petition. In addition, the telecommunications utility shall inform the Commission of the number of customers and the number of other providers affected by the proposed abandonment: **See attached notification, Exhibit A. The numbers of**

CenturyLink customers with Enhanced Frame Relay Service that will be affected by this abandonment petition is only five (5) in Oregon. There are no other providers affected by the proposed abandonment.

- (d) Demonstrate that the abandonment will not deprive the public of necessary telecommunications services. The telecommunications utility shall reinstate service at the Commission's request to prevent the public from being deprived of necessary services: **The abandonment of CenturyLink's Enhanced Frame Relay will not deprive the public of necessary telecommunications services because Enhanced Frame Relay Service is not a "necessary telecommunications service," but rather is a data service. Current customers have the option of moving to alternative CenturyLink services, such as IQ Networking Private Port Service, IQ Public Service, Metro Ethernet or Private Line services. Customers can also turn to other providers of similar services.**
- (e) Obtain Commission approval before transferring customers to other telecommunications providers. If the telecommunications utility seeks such approval, it shall include in the petition to abandon service a request for approval to automatically transfer customers: **Not applicable because CenturyLink is not automatically transferring customers to other telecommunications providers.**

CONCLUSION

Accordingly, for the reasons stated above, CenturyLink respectfully submits the Commission should grant CenturyLink's petition to abandon CenturyLink's Enhanced Frame Relay Service pursuant to OAR 860-032-0020.

DATED: March 3, 2015.



By: _____
William E. Hendricks
Senior Corporate Counsel
CenturyLink
902 Wasco Street
Hood River, OR 97031
Attorney for CenturyLink

A handwritten signature in black ink, appearing to read "Charles L. Best", with a long horizontal stroke extending to the right.

Charles L. Best, OSB No. 78142

Attorney at Law

1631 NE Broadway, Suite 538

Portland, OR 97232-1425

Ph: (503) 287-7160

Fax (503) 287-7160

charlesbestlaw@q.com



Date

Customer Name
Address
City, State Zip

Dear <Customer Name>,

In August of 2014, we notified you of our intent to discontinue Frame Relay services offered by our United Telephone Company of the Northwest affiliate. This action is necessary because the equipment used to deliver these services has been discontinued by the manufacturer.

CenturyLink is in the process of completing the regulatory notification filings required to discontinue Frame Relay services. Coincident with this notification, CenturyLink is filing a petition with the Public Utility Commission of Oregon for approval to discontinue Frame Relay service in Oregon effective June 1, 2015. Upon request from affected customers or providers, the Commission may, but is not required to, deny the petition or set it for hearing. You may contact the Commission at 1-800-522-2404.

If you have not already done so, we encourage you to contact your CenturyLink account team to discuss available alternatives to Frame Relay service and avoid possible disruption of your service on June 1, 2015. If you have any questions about these changes, please contact your CenturyLink Service Manager or Sales Representative.

Thank you for choosing CenturyLink for your communication needs—we value you as our customer.