

ORDER NO. 13 055

ENTERED: FEB 25 2013

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1543

In the Matter of

CITY OF LINCOLN CITY, LINCOLN
COUNTY, and TILLAMOOK COUNTY

Complainants,

vs.

CENTURYLINK,

Defendant.

ORDER

DISPOSITION: COMPLAINT DISMISSED

In this order, we grant the motion of the City of Lincoln City, Lincoln County, and Tillamook County to dismiss their complaint against CenturyLink, Inc. and its subsidiary, United Telephone Company of the Northwest, d/b/a CenturyLink.

I. DISCUSSION

On June 5, 2011, the City of Lincoln City, Lincoln County, and Tillamook County filed a complaint against CenturyLink, alleging reliability problems in the CenturyLink network's fiber-optic cable between Sheridan and Salem, Oregon, and sought to have CenturyLink modify its network to alleviate the alleged deficiencies.

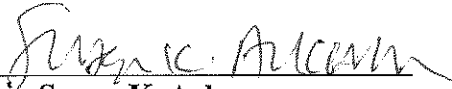
On February 8, 2013, complainants filed a motion to dismiss. The complainants state in their motion that CenturyLink conducted a test of completed modifications to the facilities with the alleged deficiencies on September 13, 2012, and that complainants' engineers observed the test and were satisfied that the requested modifications were functioning properly. Complainants assert that the concerns forming the basis of their complaint have been fully addressed and seek dismissal of the complaint.

We find that the reliability issues giving rise to the complaint have been addressed to the satisfaction of the parties and, accordingly, we conclude that the complaint should be dismissed with prejudice.

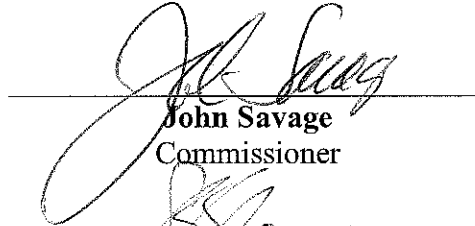
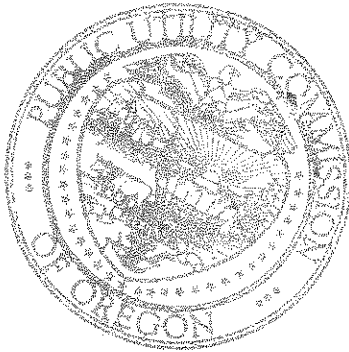
II. ORDER

IT IS ORDERED, that the complaint filed by the City of Lincoln City, Lincoln County, and Tillamook County against CenturyLink, Inc., and United Telephone Company of the Northwest, d/b/a CenturyLink, is dismissed with prejudice. This docket is closed.

Made, entered, and effective FEB 25 2013.



Susan K. Ackerman
Chair



John Savage
Commissioner



Stephen M. Bloom
Commissioner

A party may request rehearing or reconsideration of this order under ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.