

McDowell Rackner & Gibson pc



LISA RACKNER
Direct (503) 595-3925
lisa@mcd-law.com

June 7, 2010

VIA ELECTRONIC FILING AND U.S. MAIL

PUC Filing Center
Public Utility Commission of Oregon
PO Box 2148
Salem, OR 97308-2148

Re: Docket No. UM 1484

Enclosed for filing in the above-referenced docket are an original and one copy of Level 3 Communications LLC's Petition for Intervention.

A copy of this filing has been served on all parties to this proceeding as indicated on the attached certificate of service.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lisa Rackner". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Lisa Rackner

cc: Service List

1 **BEFORE THE PUBLIC UTILITY COMMISSION**
2 **OF OREGON**

3 **UM 1484**

4 In the Matter of

5 CENTURYLINK, INC.,

6 Application for Approval of Merger between
7 CenturyTel, Inc, and Qwest
8 Communications International, Inc.

**LEVEL 3 COMMUNICATIONS, LLC'S
PETITION FOR INTERVENTION**

9 Pursuant to ORS 756.525 and OAR 860-012-001, Level 3 Communications, LLC
10 ("Level 3") respectfully petitions the Public Utility Commission of Oregon (the "Commission")
11 for leave to intervene in the above-captioned proceeding with full party status as described
12 in OAR 860-011-0035(7). In support of this petition, Level 3 states as follows:

13 1.

14 The name and address of the Company are:

15 Level 3 Communications, LLC
16 1025 Eldorado Boulevard
Broomfield, CO 80021

17 2.

18 Level 3 wishes to waive paper service in this docket. All correspondence in this
19 matter should be directed to:

20 **LEVEL 3 COMMUNICATIONS, LLC**
21 GREG ROGERS
1025 ELDORADO BOULEVARD
22 BROOMFIELD, CO 80021
Telephone: (720) 888-2512
23 Email: Greg.rogers@level3 .com

McDOWELL RACKNER & GIBSON PC
LISA F. RACKNER
520 SW 6TH AVE. STE. 830
PORTLAND, OR 97204
Telephone: 503-595-3925
Email: lisa@mcd-law.com

24 **McDOWELL RACKNER & GIBSON PC**
25 ADAM LOWNEY
520 SW 6TH AVE. STE. 830
PORTLAND, OR 97204
26 Telephone: 503-595-3926
Email: adam@mcd-law.com

McDOWELL RACKNER & GIBSON PC
WENDY MCINDOO
520 SW 6TH AVE. STE. 830
PORTLAND, OR 97204
Telephone: 503-595-3922
Email: wendy@mcd-law.com

1

3.

2 Level 3 is a registered and competitively classified telecommunications company
 3 authorized to provide both intraexchange and interexchange telecommunications services
 4 throughout Oregon. Level 3 currently competes with, and obtains interconnection and
 5 related services and facilities from both Qwest Communications International Inc.¹ (“Qwest”)
 6 and CenturyLink, Inc.² (“CenturyLink”) in the provision of Level 3’s telecommunications
 7 services. And, Level 3 maintains local interconnection agreements with Qwest and
 8 CenturyLink in their capacity as incumbent local exchange carriers, entered into pursuant to
 9 sections 251 and 252 of the Communications Act of 1934, as Amended by the
 10 Telecommunications Act of 1996, Pub. L. 104-104, 110 Stat. 56, 47 U.S.C. Sections 151 *et.*
 11 *seq.*

12

4.

13 Level 3 has a substantial interest in the proposed transfer of control of Qwest to
 14 CenturyLink. Level 3 relies on interconnection with, and related services and facilities
 15 obtained from, Qwest and CenturyLink to offer and provide service to Level 3’s customers in
 16 the Qwest and CenturyLink service territories. Level 3 seeks to participate in this
 17 proceeding to ensure that the proposed transaction will not adversely impact competition in
 18 Oregon or Level 3’s rights and ability to obtain the interconnection and related services and
 19 facilities it needs to provide its telecommunications services.

20

5.

21 The evidence, if any, and briefing presented by Level 3 will be of material value to
 22 the Commission in its determination of the issues involved in this proceeding, and Level 3’s
 23 intervention will not broaden those issues or delay the proceedings.

24

25 ¹ Level 3 transacts with Qwest Communications International Inc. through a subsidiary—Qwest Corporation.

26

² Level 3 has an Oregon interconnection agreement with Sprint, which became Embarq, which became CenturyLink.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CONCLUSION

For all of the above reasons, Level 3's Petition to Intervene should be granted.

DATED: 6-7-10

MCDOWELL RACKNER & GIBSON PC



Lisa F. Rackner

LEVEL 3 COMMUNICATIONS, LLC

Greg Rogers
1025 Eldorado Boulevard
Broomfield, CO 80021

Attorneys for Level 3 Communications,
LLC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing document in Docket UM 1484 on the following named person(s) on the date indicated below by email and U.S. Mail addressed to said person(s) at his or her last-known address(es) indicated below.

Alex M. Duarte
Qwest Corporation
421 SW Oak St Ste 810
Portland OR 97204
alex.duarte@qwest.com

Mark Reynolds
Qwest Corporation
1600 7th Ave. Room 3206
Seattle, WA 98191
mark.reynolds@qwest.com

Charles L. Best
chuck@charlesbest.com

William E. Hendricks
CenturyLink, Inc.
Tre.hendricks@centurylink.com

Robert Jenks
Citizens' Utility Board of Oregon
bob@oregoncub.org

Raymond Myers
Citizens' Utility Board of Oregon
ray@oregoncub.org

Gordon Feighner
Citizens' Utility Board of Oregon
Gordon@oregoncub.org

G. Catriona McCracken
Citizens' Utility Board of Oregon
catriona@oregoncub.org

Kevin E. Parks
Citizens' Utility Board of Oregon
kevin@oregoncub.org

Jason Jones
Department of Justice
Assistant Attorney General
Jason.w.jones@state.or.us

Michael Dougherty
Oregon Public Utility Commission
Michael.dougherty@state.or.us

Barbara Young
United Telephone Company
of the Northwest
barbara.c.young@centurylink.com

Mark Trincherro
Davis Wright Tremaine LLP
1300 SW 5th Ave., Ste. 2300
Portland, OR 97201-5682
marktrincherro@dwt.com

DATED: June 7, 2010.



Lisa Rackner
Of Attorneys for Level 3 Communications, LLC