

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1484

In the Matter of

CENTURYLINK, INC.,

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

RULING

DISPOSITION: MOTION GRANTED; TESTIMONY ADMITTED;  
RECORD CLOSED; BRIEFING SCHEDULE SET

**I. SUMMARY**

In this Ruling, the Administrative Law Judge (ALJ) admits all testimony offered at hearing not withdrawn or stricken, all prefiled testimony for which written declarations or affidavits have been filed, and accepts corrections to previously submitted testimony. The Ruling also provides the briefing schedule dates adopted at the hearing, and closes the Record in these proceedings.

**II. BACKGROUND**

The Public Utility Commission of Oregon (Commission) conducted hearings in these proceedings on December 16 and 17, 2010, in Salem, Oregon. At the hearing, the ALJ admitted into the record all allowed testimony supported by personal sworn affirmation or testimony accompanied by written sworn declarations or affidavits. Testimony not so supported was provisionally admitted into the record pending receipt of sworn witness affidavits. By mutual agreement of the parties, certain corrections to testimony would also be made part of the Record, and a briefing schedule was proposed to the ALJ and adopted at the hearing.

**III. DISCUSSION**

On December 17, 2010, the City of Lincoln City, Lincoln County, Tillamook County, and Parker Telecommunications filed affidavits of David Hawker, Jerry Palmer, Gordon McCraw, and Ed Parker in support of their testimony, respectively.

On December 20, 2010, the Citizens' Utility Board of Oregon filed a Motion to Admit Prefiled Testimony, together with affidavits of Gordon Feighner and Bob Jenks. On December 23, 2010, CenturyLink, Inc., filed affidavits of G. Clay Bailey and Michael G. Williams and a Motion to admit their testimony into the record.

On December 21, 2010, the Joint CLECs, with the concurrence of all parties, corrected an error in the submission of testimony at the hearing via the withdrawal of incorrectly identified Exhibits JC-26 through JC-34, and further requested that Highly Confidential Exhibits JC-39 through JC-45<sup>1</sup> be admitted into the record.

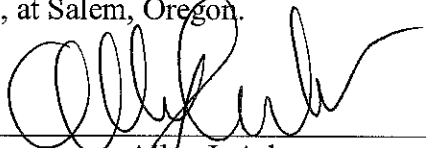
In light of the foregoing, the Record should be closed.

#### IV. RULING

1. All of the parties' testimony supported by the declarations and affidavits filed with the Commission as noted above are admitted into the Record;
2. The withdrawal of Joint CLEC's Exhibits JC-26 through JC-34 is granted and Highly Confidential Exhibits JC-39 through JC-45 are admitted into the record;
3. The Record is closed; and
4. The post-hearing briefing schedule is as follows:

|  |                               |
|--|-------------------------------|
| All Parties Simultaneous Opening Briefs Due  | January 10, 2011              |
| All Parties Simultaneous Rebuttal Briefs Due | January 18, 2011 <sup>2</sup> |

Dated this 27<sup>th</sup> day of December, 2010, at Salem, Oregon.



Allan J. Arlow  
Administrative Law Judge

UM 1484 Ruling Admitting Testimony; Closing Record; Setting Briefing Schedule

<sup>1</sup> The Joint CLECs letter dated December 20, 2010, filed in hard copy with the Commission again mis-referenced the incorrectly identified exhibits. The letter was subsequently electronically filed with the Commission and served on the parties to change "JC 24" to JC 26 and "JC-46" to JC-45.

<sup>2</sup> The Commission will be closed on January 17, 2011, the date originally requested by the parties, in observance of the Rev. Dr. Martin Luther King, Jr., holiday.