

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1484

In the Matter of

CENTURLINK, INC.,

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

RULING

**DISPOSITION: PROCEDURAL SCHEDULE RULING CLARIFIED**

In this ruling, the Administrative Law Judge (ALJ) clarifies the scope of the permissible subject matter for the parties' supplemental testimony to be filed in this proceeding.

**I. BACKGROUND AND DISCUSSION**

By Ruling issued on October 15, 2010, the ALJ granted the Motion to Amend Schedule and Expedited Oral Argument Request (Motion) filed by Joint CLECs,<sup>1</sup> and adopted the following schedule:

Staff and Intervenor Supplemental Testimony Due	November 12, 2010
CenturyLink and Qwest Supplemental Rebuttal Due	November 19, 2010
Notification of Witnesses to be Made Available for Cross-Examination	November 23, 2010
Hearing	December 1-2, 2010

Although there was some discussion about the scope of supplemental direct and rebuttal testimony, the primary focus of the telephone conference held on October 12, 2010, before the ALJ, related to the selection of procedural dates. The discussion of scope of supplemental testimony was not memorialized in the Ruling.

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<sup>1</sup> The Joint CLEC parties are tw telecom of Oregon, llc, Covad Communications Company, XO Communications Services, Inc., Integra Telecom of Oregon, Inc, Advanced TelCom, Inc., Electric Lightwave, LLC, Eschelon Telecom of Oregon, Inc., Oregon Telecom Inc. and United Telecommunications Inc., d/b/a Unicom, Priority One Telecommunications, Inc. and Charter Fiberlink OR-CCVII LLC.

On October 22, 2010, CenturyLink, Inc., (CenturyLink or the Company) filed a letter requesting clarification of the Ruling, asking the ALJ to confirm the Company's understanding that

the opportunity to file additional testimony was for the limited purpose of addressing (1) any information that CenturyLink and Qwest ultimately provided upon resolution of the Joint CLECs' pending motion to compel and (2) the Hart-Scott-Rodino (HSR) documents that were provided to Joint CLECs on October 12, 2010.<sup>2</sup>

On November 3, 2010, Joint CLECs filed a responsive letter asserting

While Joint CLECs generally concur in CenturyLink's description \* \* \* the Clarification Request inaccurately describes the universe of HSR documents that fall within the proper scope of the Supplemental Testimony that Joint CLECs requested in the motion that was granted in the Ruling Amending Schedule.\* \* \* [T]he Joint CLEC Motion to Amend Schedule made it clear that the request for an opportunity to file supplemental testimony related to any and all HSR documents produced by CenturyLink and Qwest *after the August 24, 2010 Intervenor Testimony deadline.*<sup>3</sup> (emphasis in original).

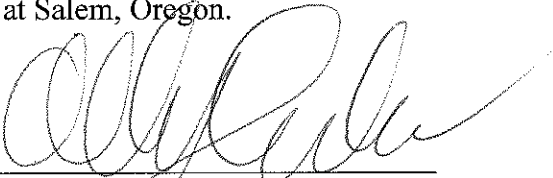
On November 4, 2010, CenturyLink and Qwest indicated by electronic correspondence that they did not object to the Joint CLEC's characterization noted above and agreed to such a clarification.

No other parties to the proceeding indicated any objection to the Joint CLEC's clarification language by the deadline set by the ALJ to submit comments on the Motion.

## II. RULING

In light of the foregoing, the Ruling of October 15, 2010, is hereby clarified to indicate that the Commission Staff and Intervenor Supplemental Testimony due to be submitted no later than November 12, 2010 shall be limited to any and all Hart-Scott-Rodino documents produced by CenturyLink, Inc., and Qwest Communications after August 24, 2010.

Dated this 4th day of November, 2010, at Salem, Oregon.



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Allan J. Arlow  
Administrative Law Judge

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<sup>2</sup> CenturyLink Letter ("Motion") (Oct 22, 2010).