

**BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS**

In the Matter of Petition of CenturyLink for a ) Docket No. 20-UTDT-\_\_\_\_-MIS  
Waiver to Provide an Annual Interrogatory in )  
Lieu of an Annual Report )

**PETITION OF CENTURYLINK FOR WAIVER TO PROVIDE AN ANNUAL  
INTERROGATORY IN LIEU OF AN ANNUAL REPORT**

COMES NOW the United Telephone Company of Kansas d/b/a CenturyLink, United Telephone Company of Eastern Kansas d/b/a CenturyLink, United Telephone Company of Southcentral Kansas d/b/a CenturyLink, and Embarras Missouri, Inc. d/b/a CenturyLink (collectively "CenturyLink"), pursuant to K.A.R. 82-1-214, 82-1-218 and 82-1-219, and hereby petitions the State Corporation Commission of the State of Kansas ("Commission") for a permanent waiver to provide an Annual Interrogatory in lieu of an Annual Report. In support of the Petition, CenturyLink shows the Commission as follows:

1. CenturyLink is a local exchange carrier ("LEC"), pursuant to K.S.A. 66-1,187(h), regulated by the Kansas Corporation Commission ("Commission") as a public utility.
2. K.S.A. 66-123 states, in part, that " Every public utility and common carrier governed by the provisions of this act when, *and as required by the corporation commission*, shall file with the corporation commission an annual report and such monthly or other regular reports, or special reports, and such other information as the corporation commission may require." (emphasis added)
3. K.S.A. 66-123 further states that "The corporation commission *may, in its discretion, grant extensions of the time within which reports and information are required to*

***be filed.*** Annual reports shall be filed on or before May 1 for the preceding calendar year unless otherwise specified by commission order or rule and regulation.” (emphasis added)

4. On or about May 1 of each calendar year, or as otherwise mutually agreed upon by CenturyLink and Staff, CenturyLink has complied with the Commission’s annual report obligations without complaint. Specifically, CenturyLink’s ILEC companies, the United Companies, have filed the comprehensive annual report required of all local exchange carriers while CenturyLink’s competitive companies have filed the Annual Interrogatory used by IXC’s, CLECs, OSP and electing carriers (hereinafter referred to as “competitive carriers”).

5. CenturyLink has been deemed a price-cap regulated carrier pursuant to K.S.A 66-2005(b) and is the only price cap regulated carrier in the state. As a price-cap regulated carrier, the comprehensive annual report information required for local exchange carriers serves minimal purpose or benefit to the Commission or the public. As such, price-cap regulated carriers should be allowed to provide the Commission with the Annual Interrogatory used by competitive carriers in place of the local exchange carrier annual report.

6. Information provided in the local exchange carrier annual report is used to determine a rate of return carrier’s regulated rates and for other related purposes but does not serve a similar purpose for a price-cap regulated carrier. K.S.A. 66-2005 states that carriers that elect price cap regulation are exempt from rate base, rate of return and earnings regulation and are not subject to the provisions of K.S.A. 66-136 (regarding transfer of franchise or certificate of convenience) and K.S.A 66-127 (regarding dealing in securities of competing utilities). For price-cap regulated carriers, rates for all services after July 1, 2006 are determined based on the provisions of KSA 66-2005(q) which price deregulated all services except for (a) the initial stand-alone access line residential local exchange access line and up to four business local

exchange access lines at one location which may be adjusted annually by the change in consumer price index for all urban consumers and (b) for switched access services.

7. Information provided in the local exchange carrier annual report is used to determine a rate of return regulated carrier's KUSF support, while statute mandates that CenturyLink's KUSF support must be based on the monthly per line KUSF support identified in the April 2000 Notice, adjusted for CAF II support received for each household. (K.S.A. 66-2008(c)(3))

8. The Annual Interrogatory is used by IXC's, CLECs, OSP and electing carriers and provides the Commission with substantial business and financial data in the following information categories: (1) general company information, (2) gross intrastate operating revenue by category, (3) number of subscribers, (4) a KUSF reconciliation and (5) detailed company contact information. This Annual Interrogatory for competitive carriers is also due annually on May 1. CenturyLink submits that this annual reporting obligation -- which is sufficient for IXC's, CLECs, OSPs and electing carriers -- is also sufficient for price-cap regulated carriers.

9. CenturyLink also provides substantive and Certified information to the Commission annually in other dockets including (1) the annual ETC docket provides the Commission with detailed financial information certified by a company officer and (2) the annual KUSF Assessment docket provides the Commission with detailed access line count data.

10. If CenturyLink's Petition is granted, CenturyLink will remain obligated to file the Annual Interrogatory in May of each year, the annual ETC Certification data submission in July of each year, and the annual KUSF line count and supporting documentation in October of each year. When taken collectively, the Commission will retain sufficient access to critical business and financial data for the United Companies.

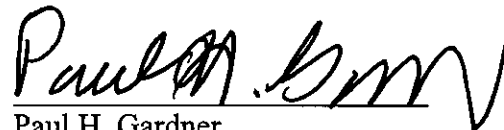
11. Finally, to the extent that the Commission and/or Staff need additional information from a price-cap regulated carrier, CenturyLink will remain subject to the Commission's jurisdiction and, as such, will remain obligated to provide Staff with information as may be deemed necessary as part of an ongoing investigation, docket or other case-by-case basis as required by K.S.A. 66-123: *"The corporation commission may at any time require from any public utility or common carrier specific answers to any questions upon which it may desire information in connection with matters pending before them."*

For the foregoing reasons, CenturyLink requests its Petition for a permanent waiver to provide an Annual Interrogatory in lieu of an Annual Report be granted. Additionally, CenturyLink consents to electronic service and requests that all future correspondence and service of notices, pleadings, testimony, briefs, orders, and other filings be directed to the following email addresses:

lkgardner@hotmail.com  
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Respectfully submitted this 1 day of November, 2019.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul H. Gardner", with a stylized flourish at the end.

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STATE OF MISSOURI     )  
                                      ) ss.  
COUNTY OF JACKSON    )

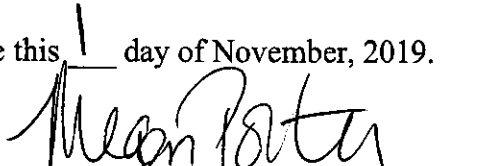
**VERIFICATION**

Paul H. Gardner, being duly sworn upon his oath, deposes and states that he is counsel for CenturyLink, that he has read and is familiar with the foregoing Petition of CenturyLink for Waiver to Provide an Annual Interrogatory in Lieu of an Annual Report and that the statements contained therein are true and correct to the best of his knowledge, information and belief.



Paul H. Gardner, #22851  
Counsel for CenturyLink

Subscribed and sworn to before me this 1 day of November, 2019.

  
\_\_\_\_\_  
Notary Public

MEGAN PORTER  
NOTARY SEAL-NOTARY PUBLIC  
STATE OF MISSOURI  
JACKSON COUNTY  
MY COMMISSION EXPIRES 11/7/2020  
COMMISSION # 12412385

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was sent via electronic mail, this

1 day of November, 2019, addressed to:

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