



Craig J. Brown
931 14th St., 12th Fl.
Denver, Colorado 80202
Phone 303-992-2503
Facsimile 303-896-1107

Senior Counsel

VIA ECFS

May 30, 2018

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: *In the Matter of Application of Qwest Corporation d/b/a
CenturyLink QC For Authority to Discontinue an Open Network
Architecture Basic Service Element*, WC Docket No. 18-96; Comp.
Pol. File No. 1441

Dear Ms. Dortch:

On March 23, 2018, Qwest Corporation d/b/a CenturyLink QC (referred to herein as “CenturyLink”) filed an application to discontinue its Call Event and Management Signaling Service (CEMSS), which it has offered as a Basic Service Element under the Open Network Architecture (ONA) regime.¹ On May 29, 2018, Global Grid Telecom, Inc. (GGT) submitted late-filed comments asking the Commission to deny CenturyLink’s Application.² No other party commented on the Application. GGT raises no issues that should affect the Application’s June 1, 2018 deemed grant date.³

GGT does not dispute any of the statements in CenturyLink’s Application, including the fact that there are no subscribers to CEMSS. Instead, it seeks to relitigate the Commission’s decision in the *2015 USTelecom Forbearance Order* to forbear from the ONA and other remaining *Computer Inquiry* requirements then applicable to Bell Operating Companies and other facilities-based wireline carriers.⁴ In that Order, the Commission found a lack of evidence

¹ *In the Matter of Application of Qwest Corporation d/b/a CenturyLink QC for Authority to Discontinue an Open Network Architecture Basic Service Element*, Application, WC Docket No. 18-96, Comp. Pol. File No. 1441 (filed Mar. 23, 2018) (Application).

² Comments of Global Grid Telecom, Inc., WC Docket No. 18-96 (dated May 28, 2018) (GGT Comments).

³ *See Comments Invited on Section 214 Application(s) To Discontinue Domestic Dominant Carrier Telecommunications Services*, Public Notice, WC Docket No(s). 18-65 & 18-96, DA 18-331 (WCB Apr. 2, 2018) (Public Notice).

⁴ *See In the Matter of Petition of USTelecom for Forbearance Pursuant to 47 U.S.C. § 160(c) from Enforcement of Obsolete ILEC Legacy Regulations That Inhibit Deployment of Next-*

that Enhanced Service Providers (ESPs) were actually using particular ONA offerings, that ESPs were precluded from obtaining similar functionalities on alternative platforms, or that BOCs or other wireline carriers had an incentive to discriminate against ESPs in favor of their own offerings.⁵ At the same time, the Commission noted USTelecom's assertion that these requirements impose material costs on the carriers subject to them. Given this record, the Commission granted forbearance from the ONA and other remaining *Computer Inquiry* requirements, conditioned on carriers following "a process that is identical to the streamlined section 214 discontinuance process[]" when eliminating basic narrowband or other service elements that were available under ONA plans.⁶

Here, the record is clear that no ESP is currently relying on CenturyLink's CEMSS. While GGT claims that it would like to purchase CEMSS from CenturyLink, it has not done so for more than five years.⁷ GGT's assertion that CenturyLink has somehow impeded GGT from providing competing Call Management Services is false. In 2013, CenturyLink ceased providing CEMSS to GGT due to nonpayment. It did so only after establishing a payment plan that would have allowed GGT to pay its overdue balance over an extended period of time. When GGT failed to pay even for current charges for the service (much less its past due balance), CenturyLink disconnected that service. This disconnection occurred nearly a year after GGT failed to pay the amounts owed to CenturyLink for CEMSS. GGT is the only unaffiliated customer to have ever purchased CEMSS from CenturyLink.

Thus, CenturyLink's proposed discontinuance of CEMSS will not adversely affect any current ESP offering and therefore is consistent with the public interest. CenturyLink requests that the Wireline Competition Bureau allow the Application to be deemed granted automatically on June 1, 2018, as specified in the Public Notice.

Please let me know if you have any questions about this matter.

Sincerely,

/s/ Craig J. Brown

cc (via e-mail): Kimberly Jackson

Generation Networks et al., WC Docket No. 14-192, Memorandum Opinion and Order, 31 FCC Rcd 6157, 6198 ¶ 72 (2015) (*2015 USTelecom Forbearance Order*).

⁵ See *id.*

⁶ *Id.* at 6198-99 ¶¶ 72, 74.

⁷ See GGT Comments at 3.