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September 8, 2017

Via ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Ex Parte* Presentation, WC Docket No. 16-403

Dear Ms. Dortch:

In various submissions filed in this proceeding, CenturyLink, Inc. (“CenturyLink”) and Level 3 Communications, Inc. (“Level 3,” and together with CenturyLink, the “Applicants”) have reported the presence of fiber-based competitors both within and in proximity to overlap locations in CenturyLink’s ILEC region.¹ The Applicants recently discovered an anomaly in the data on which they relied to make these submissions that had the effect of potentially overstating the presence of one of these competitors in up to 13 locations in Tucson, Arizona. After investigating the matter, the Applicants have determined that the data submitted previously is unchanged for 10 of these locations and requires correction for three of these locations. More detailed information about these locations, including demand data and additional nearby competitors for all of them and four other locations in Tucson is set forth in Highly Confidential Attachment A hereto [Bates Number CTLLVLT-000180].

The Applicants also take this opportunity to clarify that where they have designated a location as a stand-alone cell tower in this submission and in prior submissions, they have done so based on their understanding that a 2-1 overlap location that happens to be a stand-alone cell tower does not create competitive implications. This is because unlike a building, which can be occupied by a single location customer that must negotiate for Business Data Services (“BDS”) at that location alone, stand-alone cell towers served by the Applicants invariably are served

¹ See *Ex Parte* Presentation Letter from Yaron Dori to Marlene Dortch, WC Docket No. 16-403 (filed August 15, 2017); *Ex Parte* Presentation Letter from Yaron Dori to Marlene Dortch, WC Docket No. 16-403 (filed July 5, 2017); Initial Joint Response of CenturyLink, Inc. and Level 3 Communications, Inc. to Information and Document Requests at 5-7, WC Docket No. 16-403 (filed Apr. 7, 2017); Joint Reply Comments of CenturyLink, Inc. and Level 3 Communications, Inc. at 5-6, WC Docket No. 16-403 (filed Feb. 7, 2017); Consolidated Application to Transfer Control of Domestic and International Section 214 Authorizations at B-18 to B-20, WC Docket No. 16-403 (filed Dec. 12, 2016).

COVINGTON

Letter to Ms. Dortch
September 8, 2017
Page 2

through multi-location contracts. As a consequence, a customer purchasing BDS from the Applicants for a stand-alone cell tower that happens to also be a 2-1 location should not be adversely affected by the combination of CenturyLink and Level 3 because the customer at that location will continue to possess leverage in the negotiation for BDS at that location by virtue of the fact that the location will be part of a bundle of locations for which the customer will be seeking such service.

Separately, in their submission in this docket on September 5, 2017, the Applicants noted that references to “Stand-Alone ILA” in CTLLVT-000179 refer to locations in which “Intermediate Line Amplification” or “ILA” equipment is present.² At the request of the staff of the Wireline Competition Bureau, the Applicants hereby clarify that ILA equipment is optical transport network equipment that serves to amplify transmissions on fiber networks, much in the same way an intermediate power amplifier facilitates radio transmissions. Importantly for purposes of the Applicants’ 2-1 overlap analysis, Stand-Alone ILA locations are network facility locations, *not* locations where BDS customers reside or take service. For the Bureau’s reference, a photograph of a representative Stand-Alone ILA location is marked in Highly Confidential Attachment B hereto [CTLLVLT-000181].

The documents submitted herewith are Highly Confidential and therefore are marked “HIGHLY CONFIDENTIAL INFORMATION — SUBJECT TO PROTECTIVE ORDER IN WC DOCKET NO. 16-403 BEFORE THE FEDERAL COMMUNICATIONS COMMISSION.” Consistent with the instructions in the Protective Order in this docket, this Highly Confidential submission is being hand-filed, and copies are being provided to Commission staff and will be made available to third parties pursuant to the terms of the Protective Order. The Applicants’ redacted submission is marked “REDACTED — FOR PUBLIC INSPECTION” and is being filed electronically in the Commission’s Electronic Comment Filing System.

Any questions concerning this submission should be addressed to the undersigned.

² The September 5th submission contained typographical errors that mistakenly referred to this equipment as “Intermedia Light” Amplification equipment.

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COVINGTON

Letter to Ms. Dortch
September 8, 2017
Page 3

Respectfully submitted,

/s/

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Counsel to CenturyLink, Inc.

cc: Terri Natoli
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