

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Reform of Certain Part 61 Tariff Rules)	WC Docket No. 18-276
)	
Petitions for Limited Waiver of Rule 61.74(a))	WC Docket No. 17-308

COMMENTS OF CENTURYLINK

CenturyLink, Inc. (CenturyLink)¹ submits these comments in response to the *Notice of Proposed Rulemaking* issued by the Commission on October 18, 2018 regarding potential changes to its Part 61 tariff rules (*NPRM*).²

I. INTRODUCTION AND SUMMARY

In the *NPRM*, the Commission proposes two components of relief to further streamline its price cap carrier tariffing rules: (1) to eliminate its tariff cross-referencing rule and thereby permit carriers to reference their own tariffs and the tariffs of affiliate companies in tariff publications; and (2) to eliminate its rules requiring price cap incumbent LECs to file short form tariff review plans 90 days before their access tariffs are due. For the reasons discussed below, the Commission should grant both components of the proposed relief.

¹ This submission is made by and on behalf of CenturyLink, Inc. and its wholly owned subsidiaries.

² *Reform of Certain Part 61 Tariff Rules; Petitions for Limited Waiver of Rule 61.74(a)*, WC Docket No. 18-276, WC Docket No. 17-308, Notice of Proposed Rulemaking and Interim Waiver Order, FCC 18-142 (rel. Oct. 18, 2018); 83 Fed. Reg. 58510 (Nov. 20, 2018) (*NPRM*).

II. DISCUSSION

A. The Commission Should Amend Its Tariff Cross-Referencing Rule.

The Commission should amend its tariff cross-referencing rule and permit carriers to reference their own tariffs and the tariffs of affiliate companies in tariff publications.³ As is discussed in the *NPRM*, this rule was created many years ago when tariffs were filed in hard copy.⁴ At that time, without such requirements, Commission and industry efforts to review tariff filings would be made significantly more time-consuming and expensive by cross-referencing.⁵ However, these concerns no longer hold given the electronic availability of tariff filings. At the same time, the requirements continue to impose delay and other costs on carriers. As the rule stands now, when a customer wants to establish a contract via tariff across all of CenturyLink price cap ILEC territories, CenturyLink is required to first prepare a request for special permission which must be approved by FCC Staff before the tariff filing is allowed. This extends the time that customers must wait before the contract becomes effective. Accordingly, the cross-referencing rules are unduly burdensome and should be eliminated.

B. The Commission Should Also Eliminate Its Short Form Tariff Review Plan Filing Requirement.

The Commission should also, as the *NPRM* proposes, eliminate its rules requiring price cap incumbent LECs to file short form tariff review plans 90 days before their access tariffs are due.⁶ As is detailed in the *NPRM*, the Commission has consistently reduced the tariff filing

³ The rule, 47 C.F.R. § 61.74, currently prohibits cross-referencing to the tariffs of the company or affiliates or to other documents. The proposed changes would not and should not change the latter – i.e. referencing to other types of documents would still be prohibited.

⁴ *NPRM*, ¶ 4.

⁵ *Id.*

⁶ *Id.*, ¶ 13.

burdens of price cap carriers over time⁷ and elimination of this requirement is the next logical step. These filings have become more and more standardized over time. And, on numerous occasions in the recent past, the Commission has needed to take *ad hoc* action to relieve carriers of the obligations because information necessary to the filings was not yet available.⁸ There is no evidence of harm resulting from the Commission's decision to waive the filing requirements in these instances. With the proposed change, remaining notice requirements (seven days for rate reductions and 15 days for rate increases) will provide adequate time for the Commission and the industry to review carrier tariff filings.⁹ In the meantime, these filings require the investment of FCC Staff and company employee time and resources to review and complete during a timeframe when the larger Annual Filing needs the greater attention. Given these costs and the absence of any real, countervailing benefits, the rules are clearly unduly burdensome.

III. CONCLUSION

For the reasons stated above, the Commission should take the action described herein.

Respectfully submitted,

CENTURYLINK

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⁷ *NPRM*, ¶¶ 9-10.

⁸ *Id.*, ¶¶ 11-12.

⁹ *See, e.g.*, 47 U.S.C. § 204(a)(3).