

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Public Service Commission
v. Qwest Corporation
Complaint

Case No. PU-15-677

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Geralyn R. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **19th day of August, 2016**, she deposited in the United States Mail, at Bismarck, North Dakota, **two** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and containing photocopy of:

- **Notice of Hearing**

The envelopes were addressed as follows:

Jason D. Topp
Qwest Corporation dba CenturyLink QC
200 South 5th Street Room 2200
Minneapolis, MN 55402
Cert. No. 7016 0600 0000 4633 7669

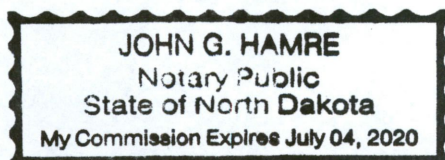
Paul Sanderson – Attorney at Law
Evenson Sanderson PC
103 South 3rd Street, Suite 5
Bismarck, ND 58501
Cert. No. 7016 0600 0000 4633 7676

Kent Blickensderfer
State Legislative Affairs Director
Century Link
220 N 5th Street
Bismarck, ND 58501
Cert. No. 7016 0600 0000 4633 7713

The addresses shown are the respective addressee's last reasonably ascertainable mailing address.

Subscribed and sworn to before me
this **19th day of August, 2016**.

SEAL



Geralyn R. Schmaltz

John G. Hamre

Notary Public

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Affidavit of Service Cert. Mail – Notice of Hearing

**STATE OF NORTH DAKOTA
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NOTICE OF HEARING

August 17, 2016

On April 6, 2016, Public Service Commission Advocacy Staff (Advocacy Staff) filed a Complaint against Qwest Corporation (Qwest) alleging 28 quality of service instances regarding Qwest telecommunications service, and violations of N.D. Admin. Code Section 69-09-05-07 for failure to test and/or correct trouble promptly, and/or violations of N.D.C.C. Section 49-21-10.2 for failing to provide adequate quality of service. The Advocacy Staff asked the Commission to find Qwest in violation of North Dakota Administrative Code section 69-09-05-07 for failing to promptly correct trouble in each of the 28 instances, and asked the Commission to impose an appropriate civil penalty up to \$5,000.00 for each instance. The Advocacy Staff also asked the Commission to order Qwest to take reasonable and necessary remedial action to provide adequate service.

The Commission found the complaint states a *prima facie* case and served the Complaint on Qwest. Qwest's Answer was filed on May 23, 2016.

A **Public Hearing** on this case is scheduled to begin **December 12, 2016 at 8:30 a.m. CST** in the Commission Hearing Room, 12th Floor, State Capitol, 600 East Boulevard Avenue, Bismarck, North Dakota, 58505.


The issues to be considered are:

1. Whether Qwest is in violation of North Dakota Administrative Code section 69-09-05-07 for failing to promptly correct trouble in each of the 28 instances described in the Complaint.
2. Whether the Commission should impose a civil penalty up to \$5,000.00 for each violation.
3. Whether the Commission should order Qwest to take reasonable and necessary remedial action to provide adequate service, and if so, what action should be required.
4. Whether the Commission should impose any other relief that it finds just and proper, and if so, what relief should be imposed.

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For more information, contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400 or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission, at least 24 hours in advance.

PUBLIC SERVICE COMMISSION


Randy Christmann
Commissioner


Julie Fedorchak
Chairman


Brian P. Kalk
Commissioner