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VIA ELECTRONIC MAIL

Mr. Victor Schock  
Director, Public Utilities Division  
North Dakota Public Service Commission  
600 E. Blvd. Avenue, Dept 408  
Bismarck, North Dakota 58505-0480

**Re: Red River Rural Telephone Association's Support for Griggs County Telephone Company's Objection to CenturyLink's Petition for Partial Relinquishment of ETC Designation, PU-25-233**

Dear Mr. Schock:

Red River Rural Telephone Association d/b/a Red River Communications ("Red River") writes in support of the Objection filed by Griggs County Telephone Company ("Griggs") to the Petition for Partial Relinquishment of Eligible Telecommunications Carrier ("ETC") Designation submitted by Qwest Corporation d/b/a CenturyLink ("CenturyLink"). Red River's direct experience with CenturyLink's operations in the Wahpeton exchange provides highly relevant evidence regarding the service quality and infrastructure maintenance issues that warrant Commission scrutiny of CenturyLink's petition.

On October 9, 2025, this Commission issued an Order in Case Nos. PU-25-185 and PU-25-190 granting Red River's applications for Certificate of Public Convenience and Necessity ("CPCN") and ETC designation in the Wahpeton exchange, transferring CenturyLink's CPCN to competitive local exchange service, and relinquishing the Wahpeton exchange from CenturyLink's study area. *Order*, Case Nos. PU-25-185 & PU-25-190 (October 9, 2025) ("Wahpeton Order"). The Commission's findings establish directly relevant precedent for evaluating CenturyLink's petition in the Leonard exchange.

## **The Commission's Recent Findings on CenturyLink's Service**

The Wahpeton Order recognized that Red River "occupies a market position comparable to a legacy ILEC" and "has substantially replaced the legacy ILEC," finding that "[t]he reclassification serves the public interest, convenience, and necessity and the purposes of 47 USCA section 251." Wahpeton Order at 3. The Order notes that "Red River provided testimony and visual aids that highlighted CenturyLink's lack of maintenance of its existing system in the Wahpeton exchange, and its failure to extend service to areas of customer growth." Id.

During the September 25, 2025 informal hearing, Red River presented photographic evidence depicting powered loop plant lying on its side in a field of weeds with an open or broken case easily accessible to children, and a broken pedestal on a Wahpeton street corner, still powered and exposed to children. Objection of Griggs County Telephone Company at 2. These safety hazards reflect CenturyLink's fundamental failure to maintain telecommunications plant to minimum safety standards and likely indicate broader infrastructure maintenance deficiencies throughout CenturyLink's North Dakota operations, given that CenturyLink maintains only a handful of technicians available to service its voice telephone operations statewide. Id.

## **Infrastructure Inadequacy and Market Response**

Red River invested substantial capital to construct a fiber-to-the-home network covering 98.5% of the Wahpeton exchange because CenturyLink's network consists predominantly of aging copper facilities with minimal fiber connectivity, supporting speeds of only 200 kilobits per second at many locations within Wahpeton city limits. Comments of Red River Rural Telephone Association, Case Nos. PU-25-185 and PU-25-190, ¶ II. These speeds fall far below the Federal Communications Commission's current broadband standard.

The market response validates CenturyLink's service inadequacy. Red River served approximately 424 wireline subscribers and 736 broadband subscribers in the Wahpeton exchange, while CenturyLink served only 228 voice customers at the end of 2024. Wahpeton Order at 3. Similarly, Griggs has captured approximately 95% of wireline voice subscribership and 66% of total subscribership in the Leonard and Kindred exchanges. Objection of Griggs County Telephone Company at 2. This substantial voluntary customer migration in both exchanges demonstrates that CenturyLink's service falls far below community expectations and needs.

## **CenturyLink's Regulatory Record and Federal Program Default**

CenturyLink has been the subject of approximately 80% of customer complaints filed with this Commission regarding telecommunications services, contrasting sharply with Red River's zero complaints over the past ten years. Red River Comments, ¶ I. CenturyLink has incurred substantial regulatory penalties across multiple jurisdictions, including this

Commission's \$25,000 fine for 25,701 violations of North Dakota's One Call excavation notification law, the FCC's \$16 million fine for 2014 emergency services outages, and an additional \$3.8 million FCC civil penalty for 911 service failures in 2020. *In the Matter of CenturyLink, Inc.*, 30 FCC Rcd 2848 (April 6, 2015); *In the Matter of CenturyLink, Inc. n/k/a Lumen Tech., Inc.*, 36 FCC Rcd 17113 (December 17, 2021). In April 2024, a CenturyLink outage lasting approximately 50 minutes affected 102 dispatch centers across multiple states, including North Dakota.

Most significantly, CenturyLink's reliability as a provider of universal service in rural areas is fundamentally undermined by its recent default on federal Rural Digital Opportunity Fund ("RDOF") commitments. In December 2020, CenturyLink received a \$262.3 million award to serve 77,257 locations across 20 states but voluntarily relinquished all awarded locations through defaults occurring between August 2024 and June 2025, citing rising deployment costs and inaccurate location counts. Red River Comments, ¶ III. This massive federal program default demonstrates CenturyLink's inability or unwillingness to fulfill rural service commitments when economic conditions prove challenging—fundamentally incompatible with carrier-of-last-resort obligations that accompany ETC designation and CPCN authority.

### **Strategic Withdrawal and Cherry-Picking of Obligations**

CenturyLink's petition must be understood within the context of the company's broader strategic direction. In May 2025, CenturyLink announced an agreement to sell its consumer fiber business to AT&T for \$5.75 billion, demonstrating strategic focus on enterprise and business customers rather than residential and rural consumers. Red River Comments, ¶ IV. CenturyLink has maintained a historical pattern of rural exchange sales dating to the 1990s. *Id.*

CenturyLink's petition exemplifies this incompatible approach. The company seeks to relinquish ETC obligations to its remaining 17 customers in the Leonard exchange while maintaining its CPCN authority should better opportunities arise in the future. Petition at 2. This request to retain legal market access while declining service obligations reflects a cherry-picking approach that undermines the regulatory framework governing incumbent local exchange carrier operations.

The Commission appropriately rejected this approach in the Wahpeton proceeding. Although CenturyLink requested that it continue to be able to serve its customers in the Wahpeton exchange, the Commission found it appropriate to transfer CenturyLink's certificate of public convenience and necessity to competitive local exchange carrier status. Wahpeton Order at 3. The Commission should apply similar reasoning here.

### **Consistent Treatment Based on Established Precedent**

The situations in the Leonard and Wahpeton exchanges demonstrate striking parallels. In

both exchanges, CenturyLink maintains aging copper infrastructure failing to meet modern service standards. In both exchanges, competing carriers have invested in superior fiber infrastructure attracting substantial customer migration from CenturyLink. In both exchanges, CenturyLink's minimal remaining customer base reflects market rejection of inadequate service.

The Commission's March 26, 2025 Order in Case Nos. PU-24-386 and PU-24-387 relinquished the Leonard and Kindred exchanges from CenturyLink's study area and added them to Griggs' rural study area. The Wahpeton Order builds upon this precedent, explicitly finding that Red River "has substantially replaced the legacy ILEC" and that "reclassification serves the public interest, convenience, and necessity." Wahpeton Order at 3.

These recent Commission determinations establish a clear framework for evaluating situations where incumbent carriers have failed to maintain adequate infrastructure and service quality, resulting in substantial customer migration to superior providers. Just as the Commission transferred CenturyLink's CPCN to competitive service in Wahpeton based on Red River's substantial replacement of the incumbent, the Commission should deny CenturyLink's request to retain CPCN authority in Leonard where Griggs has substantially replaced CenturyLink.

The photographs of CenturyLink's deteriorating infrastructure presented at the September 25, 2025 hearing cannot be dismissed as isolated maintenance issues. Powered telecommunications equipment lying in fields with broken enclosures and damaged pedestals on public streets accessible to children represent unacceptable safety hazards. These conditions, combined with CenturyLink's documented service quality failures, regulatory violations totaling over \$19 million in fines, massive RDOF default, and minimal investment in network upgrades, demonstrate a pattern of infrastructure abandonment incompatible with CPCN obligations.

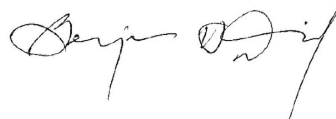
## **Conclusion**

Red River strongly supports Griggs' objection to CenturyLink's petition. The Commission's October 9, 2025 Order establishes directly relevant precedent demonstrating that when incumbent carriers fail to maintain adequate infrastructure and service quality, resulting in substantial customer migration to superior providers, the public interest is served by recognizing the superior provider as the ILEC and transferring the incumbent's CPCN to competitive service.

Red River respectfully urges the Commission to grant Griggs' objection and deny CenturyLink's petition, or at minimum condition approval on transfer of CenturyLink's CPCN to competitive local exchange service consistent with the Commission's treatment of the Wahpeton exchange. The Commission should also initiate an investigation pursuant to N.D.C.C. § 49-03.1-07 into whether CenturyLink remains qualified to hold CPCN authority in rural exchanges where the company has been substantially replaced, maintains deteriorating infrastructure posing safety hazards, and demonstrates unwillingness to invest in necessary network upgrades.

Respectfully submitted,

**RED RIVER RURAL TELEPHONE  
ASSOCIATION**

A handwritten signature in cursive script, appearing to read "Benjamin H. Dickens, Jr.", written in black ink.

By: Benjamin H. Dickens, Jr.  
Salvatore Taillefer, Jr.

Counsel for Red River Rural Telephone Association

cc: Jason D. Topp, Esq., Counsel for CenturyLink