

October 22, 2025

*Via Hand Delivery & Electronic Mail*

Mr. Steve Kahl  
North Dakota Public Service Commission  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505-0480  
[ndpsc@nd.gov](mailto:ndpsc@nd.gov)

**In re: Qwest Corporation  
Designated Eligible Carrier – Partial Relinquish  
Application  
Case No. PU-25-233**

Dear Mr. Kahl:

Enclosed for filing in the above-referenced matter, please find eight copies of the following:

1. Comments of Qwest Corporation dba CenturyLink QC in Response to Formal Objection and Motion for Intervention; and
2. Certificate of Service.

Please feel free to contact me if you have any questions. Thank you.

Sincerely,



Wade C. Mann

WCM/lh  
Enc.

cc: Victor Schock (via email)  
Benjamin H. Dickens, Jr. (via email)  
Salvatore Taillefer, Jr. (via email)  
Jason D. Topp (via email)

**BEFORE THE STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Qwest Corporation** )  
**Designated Eligible Carrier – Partial Relinquish** )  
**Application** )

**Case No. PU-25-233**

**COMMENTS OF QWEST CORPORATION DBA CENTURYLINK QC**  
**IN RESPONSE TO FORMAL OBJECTION AND MOTION FOR INTERVENTION**

**Introduction**

Between October 8 and October 10, multiple rural ILECs and the North Dakota Broadband Association filed comments in this proceeding. In general, the comments seek to take advantage of this docket to try and achieve business purposes of either buying certain CenturyLink<sup>1</sup> exchanges or forcing CenturyLink out by significantly modifying CenturyLink’s certificate of public convenience and necessity (CPCN) in the state. The Commission should not be distracted by these efforts. CenturyLink is simply seeking to exit the Leonard Exchange. It has asked for relief from its ETC designation under 47 USC 214(e)(2) and it has demonstrated that it is entitled to such relief.

Concerns about CenturyLink’s CPCN are irrelevant to this docket. CenturyLink has met the standard for ETC relief under statute. Section 214(e)(2) states that, upon such a demonstration, a state “shall” grant relief.

A CPCN is issued to Incumbent Local Exchange Carriers (ILECs) across its service territory. CenturyLink QC will remain an ILEC in North Dakota which requires a CPCN to operate in the state. Modifying the CenturyLink QC CPCN is not a necessary step in granting the ETC relief being requested in this proceeding.

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<sup>1</sup> Qwest Corporation dba CenturyLink QC will be referred to as “CenturyLink” in these comments.

Accordingly, CenturyLink respectfully requests that the Commission (1) accept these comments after its deadline of October 10, (2) deny Griggs County Telephone Company's Request for Intervention, and (3) deny their objection to this petition.

### **Background**

On August 1, 2025, Qwest Corporation dba CenturyLink QC, (CenturyLink) filed a request for relinquishment of ETC status in the Leonard Exchange. Section 214(e)(4) of the Communications Act sets forth the requirements for relinquishment of an ETC designation:

- A State Commission . . . shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier.
- An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission . . . of such relinquishment.
- Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State Commission . . . shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carriers will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining telecommunications carrier.

On August 7, 2025, the Commission issued a notice of opportunity for comment which invited comments on the proceeding until October 10, 2025. On October 3, 2025 Griggs County Telephone Company (Griggs) filed a letter that makes a number of wide-ranging allegations but ultimately (1) objects to the petition, and (2) states "a Commission inquiry is warranted to examine whether CenturyLink remains qualified as a holder of its CPCN, at least in the rural exchanges where it has been largely replaced by neighboring local exchange carriers." CenturyLink filed responses to those comments on October 10, 2025.

Several commenters filed letters with the Commission related to this matter:

- **Broadband Association of North Dakota (BAND) –**
  - BAND filed in support of the comments filed by Griggs and “request that the Commission decline any modification ...to CenturyLink’s...CPCN”.
  - BAND further points out that North Dakota statutes do not require VoIP providers to register or obtain a CPCN and so there is no rationale for maintaining a CPCN.
  - BAND does support the relinquishment of CenturyLink’s ETC status in Leonard but requests the Commission clarify that we must register to provide VoIP service and no longer be able to provide legacy voice telephone services
  
- **Consolidated Telecom –**
  - Objects to CenturyLink’s partial relinquishment of ETC designation and supports Griggs’ objection.
  - Consolidated indicates it based on it’s experience in the Belfield exchange where they have overbuilt to 100% that “CenturyLink has all but abandoned those North Dakota citizens.”
  
- **Halstad Telephone Company (HTC) –**
  - HTC objects to CenturyLink’s Petition and supports Griggs’ objection.
  - HTC believes a Commission inquiry is warranted in rural exchanges to determine if CenturyLink is qualified to carry a CPCN.
  
- **BEK Communications Company –**
  - Support for objection of Griggs with “...concerns regarding CenturyLink’s operational capacity and fitness to maintain its Certificate of Public Convenience and Necessity (“CPCN”)...”.
  - BEK also indicates that in Valley City where they are a CLEC (and CenturyLink has 271 voice and 70 Broadband customers) that CenturyLink has failed “to upgrade infrastructure to meet modern broadband standards” and BEK has overbuilt us with Gig speeds.
  - BEK also points to CenturyLink’s “well-known Rural Digital Opportunity Fund defaults in other states raises questions about management capacity”.

- **Dakota Central –**

- Support for Griggs objection - *“respectfully urges the Commission to deny CenturyLink’s Petition or, in the alternative, initiate a broader investigation into CenturyLink’s qualifications to hold its CPCN”*.
- Same references to RDOF by Dakota Central, as well as reference to informal Red River photos showing damaged equipment.
- Dakota Central claims to have built out to 85% of the Jamestown exchange (CenturyLink has 665 voice and 98 broadband customers) and alleges we have failed to invest in the network.

- **Polar Communications Mutual Aid Corp. (Polar)**

- Supports Griggs’ objection.
- Polar operates in the Northwood Exchange (CenturyLink has 45 voice and 15 broadband customers) claiming to have built fiber to 100% of living units.
- Polar suggests *“CenturyLink is managing a deliberate withdrawal from rural North Dakota while attempting to retain valuable certificate rights...”*.

- **Red River Rural Telephone**

- Supports Griggs in their objection citing their *“direct experience with CenturyLink’s operations in the Wahpeton exchange...”*.
- Red River indicates that they were granted ETC designation for Wahpeton on October 9, 2025 and the commission has transferred CenturyLink’s CPCN to competitive local exchange service.
- Red River primarily recounts the issues raised in their informal hearing of September 25, 2025. (CenturyLink has 204 voice and 55 broadband customers in the Wahpeton-Breckenridge wire center).

### **Discussion**

While CenturyLink disagrees with many of the comments filed by these parties, none of them appear to dispute any of the factors that mandate relief in this case or the standard set forth in 47 U.S.C. §214(e)(4). No party disputes that there is more than one eligible telecommunications carrier serving the Leonard Exchange. No party disputes notice that has been given to the state

Commission. No party disputes that notice has been provided to customers. In such circumstances, Section 214(e)(4) states that “a state Commission ...**shall** permit an eligible telecommunications carrier to relinquish its designation as an eligible telecommunications carrier.”<sup>2</sup>

**I. The primary objection to CenturyLink’s request to maintain its CPCN is irrelevant to the standard in Section 214(e)(4).**

While many commenters have filed in this proceeding, the primary thrust of their arguments relate to the status of CenturyLink’s CPCN and does not relate to the standard set forth in Section 214(e)(4). The only substantive objection raised by commenters relates to CenturyLink’s request that it maintain its CPCN in the Leonard Exchange.<sup>3</sup> CenturyLink QC remains an ILEC in North Dakota and as a result holds a CPCN to operate in the state. Whether or not CenturyLink retains its CPCN is not a part of the standard in statute.

**II. If the Commission deems it necessary, CenturyLink is willing to modify its service territory and remove the Leonard Exchange from its Certificate of Authority.**

If maintaining the Leonard Exchange as part of its territory under a CPCN for CenturyLink is a concern for the Commission, CenturyLink stands willing to modify its service territory and would no longer include the Leonard Exchange in its CPCN. Its parent company, Lumen, has

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<sup>2</sup> Emphasis added.

<sup>3</sup> - See Griggs County Telephone Company: Griggs.Intervene-Hearing (003).pdf

Pages: 2–4-( CenturyLink’s request to retain CPCN while relinquishing ETC designation lacks clarity. RR.Griggs Letter. Pages: 2–4 (Recommends CPCN transfer to competitive providers and a Commission investigation); BEK.Griggs Comment Letter Oct 8 2025, Pages: 1–3 (Opposes CenturyLink’s attempt to retain CPCN for future use while shedding ETC obligations); Dakota Central Telecommunications (Supports Griggs’ objection and urges denial of CenturyLink’s petition); Polar Communications (Suggests CenturyLink is withdrawing from rural North Dakota while retaining CPCN rights); Broadband Association of North Dakota (BAND) Comment Pages: 1–2 (Recommends CenturyLink’s CPCN be relinquished if only offering VoIP services); Consolidated Telcom Comments, p. 1 (Objects to CenturyLink’s partial relinquishment and supports Griggs’ objection); and Halstad Telephone Company, p.1 (Objects to CenturyLink’s petition and supports Griggs’ objection).

other telecommunications companies with the ability to provide service in the Leonard Exchange.<sup>4</sup> Those other companies need not have a separate certificate to provide Voice over Internet Protocol service. Thus, even if relevant, the primary objection raised should not be an issue.

**III. Noticeably absent from the comments filed in this docket is any concern for the customers.**

Also absent from the comments filed in this docket is any mention or concern about the customers affected by this petition. The few remaining customers in the Leonard Exchange have received multiple notices of this application. No customer has filed an objection. Such customers will benefit from a clear disconnection date so they know how long they may maintain current service and provide certainty as to when they must make alternate arrangements. Leaving such customers in limbo is contrary to the public interest.

**IV. The request by Griggs and other commenters for a Commission investigation is irrelevant to this docket.**

While commenters express concern about whether CenturyLink should be certificated in certain exchanges, such requests have nothing to do with this docket which is narrowly limited in scope. Taking action with respect to those allegations is beyond this proceeding and would require a separate and extensive factual development.

**Conclusion**

Griggs Telephone Company has failed to identify an issue in dispute that is relevant to this docket and has failed to demonstrate that its participation will have any impact on its result. In the meantime, CenturyLink's few remaining customers are left in limbo while Griggs attempts to

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<sup>4</sup> CCLC has certificate of number 5130 originally issued in Docket PU-04-160; Level 3 Communications, LLC has certificates of authority numbers 4798 and 4799 for local exchange and interexchange service issued in Case No. PU-2065-02-11.

interfere with what should be a simple proceeding to ensure customers are adequately addressed.  
Its motion to intervene and its objections should be rejected.

Dated this 22<sup>nd</sup> day of October, 2025.

Respectfully submitted,

By: /s/ Jason D. Topp  
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**Designated Eligible Carrier – Partial Relinquish** )  
**Application** )

**Case No. PU-25-233**

**CERTIFICATE OF SERVICE**

[¶1] I hereby certify that on the 22<sup>nd</sup> day of October, 2025, a true and correct copy of the following document:

**1. Comments of Qwest Corporation dba CenturyLink QC in Response to Formal Objection and Motion for Intervention**

was filed with the North Dakota Public Service Commission via electronic mail and hand delivery, and was served via electronic mail and hand delivery, upon the following:

Victor Schock  
ND Public Service Commission  
600 E. Boulevard Ave., Dept. 408  
Bismarck, ND 58505-0480  
[vschock@nd.gov](mailto:vschock@nd.gov)

[¶2] I further certify that on the 22<sup>nd</sup> day of October, 2025, a true and correct copy of the same was served via electronic mail upon the following:

Benjamin H. Dickens, Jr.  
Salvatore Taillefer, Jr.  
Blooston, Mordkofsky, Dickens & Prendergast, LLP  
*Attorneys for Griggs County Telephone Company*  
[bhd@bloostonlaw.com](mailto:bhd@bloostonlaw.com)  
[sta@bloostonlaw.com](mailto:sta@bloostonlaw.com)

Dated this 22<sup>nd</sup> day of October, 2025.

By: /s/ Wade C. Mann

WADE C. MANN (Bar ID #05871)

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