



**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

MEMORANDUM OF DISMISSAL

TO: Embarq Communications, Inc. dba CenturyLink Communications, LLC

FROM: Sean Carroll, Hearing Officer

RE: D.T.C. 18-AR-13

Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar years 2014 and/or 2015.

DATE: July 19, 2018

On June 27, 2018, the Department of Telecommunications and Cable ("Department") issued a Notice of Investigation and Hearing ("Notice") and Order Opening Investigation ("Order") in docket D.T.C. 18-AR, regarding the failure of 40 telecommunications carriers to file annual returns for calendar years 2014 and/or 2015. The Notice and Order directed the named companies to respond by July 16, 2018 with information, in part, on whether the company: (1) could produce the relevant annual returns; (2) could provide an explanation regarding the reasonableness of the failure to file; and (3) provided telecommunications services within the Commonwealth during the applicable calendar year(s).

On July 10, 2018, the Department received a response from CenturyLink Communications, LLC ("CenturyLink"). The response stated that in 2014 Embarq Communications, Inc. ("Embarq") merged into Qwest Communications Company, LLC, with the name of the consolidated entity becoming CenturyLink Communications, LLC. As a result, Embarq could not file a 2015 annual return as it did not exist as a legal entity during calendar year 2015.

Accordingly, the Department determines that Embarq did not provide telecommunications services in Massachusetts during 2015, cancels its scheduled evidentiary hearing, and dismisses the case for docket D.T.C. 18-AR-13.

A handwritten signature in blue ink, appearing to read "SC", is written above a horizontal line.

Sean Carroll
Hearing Officer