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NEW APPLICATION

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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

MARC SPITZER, Chairman

AZ CORP COMMISSION  
DOCUMENT CONTROL

JIM IRVIN

WILLIAM A. MUNDELL

JEFF HATCH-MILLER

MIKE GLEASON

DOCKET NO. T-02727A-03-0161

<p>IN THE MATTER OF THE APPLICATION OF COPPER VALLEY TELEPHONE COMPANY TO EXTEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY IN COCHISE COUNTY</p>	<p>DOCKET NO. T-02727-01-_____</p> <p><b>APPLICATION</b></p>
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INTRODUCTION

Pursuant to the provisions of A.R.S. §§ 40-281 *et seq.*, and A.A.C. R14-2-502, Copper Valley Telephone Company ("Copper Valley" or the "Company"), hereby petitions the Arizona Corporation Commission ("Commission") for an order extending the Company's Certificate of Convenience and Necessity ("CC&N") in Cochise County as described herein (the "Extension Area"). Although the requested Extension Area is included on the service area maps of Qwest Corporation ("Qwest"), upon information and belief, Qwest has no telecommunications facilities and no customers within the Extension Area. Thus, Copper Valley requests that the Commission order the modification of Qwest's service area maps to remove the Extension Area. Further, Copper Valley requests that the Commission authorize the Company to charge those rates and charges in the Extension Area that are contained in the Company's tariffs on file with the Commission. This Application is supported by the following facts and information:

Snell & Wilmer

L.L.P.

LAW OFFICES  
One Arizona Center, 400 E. Van Buren  
Phoenix, Arizona 85004-2202  
(602) 382-6000

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1 paid construction charges of \$8,640.73 per line. Correspondence regarding the White's service  
2 request is attached as Attachment "A."

3 2. Fred and Peggy Davis. The Davis's own a ranch on Davis Road southeast of  
4 Tombstone in Section 29, Township 20 South, Range 24 East. The Davis's received one quote of  
5 \$53,102.89 for telephone service from Qwest, based upon the construction of 11 miles of new  
6 facilities. However, in an e-mail from Carmen K. Fullbright of Qwest dated November 29, 2001,  
7 Qwest quoted a price of \$10,561.45 per line. Correspondence regarding the Davis' service  
8 request is attached as Attachment "B."

9 3. Ruth E. Cowan. Ms. Cowan owns the N I Ranch on Davis Road southeast of  
10 Tombstone in Section 11, Township 21 South, Range 24 East. Correspondence regarding Ms.  
11 Cowan's service request is attached as Attachment "C."

12 4. Joseph Marco. Mr. Marco has a residence southeast of Tombstone in Section 20,  
13 Township 20 South, Range 23 East. Mr. Marco received a quote of \$62,696.26 per line for phone  
14 service from Qwest to the property line. The quote did not include the additional cost of  
15 extending the phone line another 1.5 miles from the property line to the house. Correspondence  
16 regarding Mr. Marco's service request is attached as Attachment "D."

17 5. James M. Browning. Mr. Browning owns Lots 130 and 131 in the High  
18 Lonesome Ranch Estates subdivision located east of Tombstone in Section 3, Township 20  
19 South, Range 24 East. Mr. Browning indicated that the cost of obtaining phone service from  
20 Qwest will exceed \$30,000. The majority of the High Lonesome Ranch Estates subdivision is  
21 within Copper Valley's existing CC&N, and Copper Valley is currently providing telephone  
22 service to customers within the subdivision.<sup>1</sup> However, Mr. Browning's lots are located in the  
23 small portion of the subdivision that is located in Qwest's service area. Correspondence  
24 regarding Mr. Browning's service request, together with a map of the High Lonesome Ranch

25  
26 <sup>1</sup> Although High Lonesome Ranch Estates is referred to as a subdivision, it is actually a  
development of 36-acre ranchettes. Thus, the densities within the development are very low.

1 Estates subdivision, is attached as Attachment "E."

2 6. Gene Griffin. Mr. Griffin owns Lots 132 and 133 in the High Lonesome Ranch  
3 Estates subdivision located east of Tombstone in Section 3, Township 20 South, Range 24 East.  
4 Mr. Griffin believes that the cost of obtaining phone service from Qwest will exceed \$30,000.  
5 Correspondence regarding Mr. Griffin's service request is attached as Attachment "F."

6 7. Terry Pleasanton. Mr. Pleasanton owns Lot 134 in the High Lonesome Ranch  
7 Estates subdivision located in Section 3, Township 20 South, Range 24 East.

8 8. Don Boursier. Mr. Boursier owns property in the High Lonesome Ranch Estates  
9 subdivision. His address is 6688 West Gleeson Road, Section 3, Township 20 South, Range 24  
10 East. Mr. Boursier has requested a phone line for his business and emergency use, and he plans  
11 to construct a guest ranch on his property which will require an additional twenty lines. Mr.  
12 Boursier has also been approached about locating a fire station on his property, which would  
13 require additional telephone lines. Correspondence regarding Mr. Boursier's service request is  
14 attached as Attachment "G."

15 9. Jim Heid. Mr. Heid is the developer of a master planned development called  
16 Bachmann Springs, which is comprised of approximately 750 homes and a 200-room hotel  
17 located in Sections 4, 5, 6, 7, 8, 9, 18, 32 and 33 in Township 19 South, Range 23 East. Mr. Heid  
18 has requested service from Qwest for the Bachmann Springs development, as well as his personal  
19 ranch and residence located at 2738 Middle March Road. Correspondence regarding Mr. Heid's  
20 service request is attached as Attachment "H."

21 Copper Valley has facilities in the vicinity of each of the persons requesting service, and  
22 Copper Valley could likely extend telephone service to those persons as well as others without  
23 construction charges to the customers.

### 24 SECTION III

25 A map depicting the requested Extension Area is attached as Attachment "I." The  
26 Extension Area is highlighted in yellow on the map. A metes and bounds legal description of the

1 expanded Elfrida Exchange (*i.e.*, including the existing exchange area and the Extension Area) is  
2 attached as Attachment "J." Although no portion of the Extension Area is located within the  
3 CC&N of another local exchange carrier, the Extension Area is included on Qwest's service area  
4 maps. Upon information and belief, Qwest has no facilities and no customers in the Extension  
5 Area.

6 **SECTION IV**

7 Copper Valley would provide those local exchange services within the Extension Area  
8 that are identified in the Company's current tariffs on file with the Commission, including custom  
9 calling features and high-speed data options. The rates, charges, terms and conditions of local  
10 exchange service in the Extension Area would be the same as those currently set forth in the  
11 Company's tariffs.

12 **SECTION V**

13 Copper Valley is a Nevada corporation authorized to transact business in the State of  
14 Arizona as a foreign corporation. The Company is in good standing in both states. Copper  
15 Valley's business address and telephone number are:

16 Copper Valley Telephone Company  
17 752 East Maley  
18 Willcox, Arizona 85644-0970  
19 Phone: (520) 384-2231

20 **SECTION VI**

21 Copper Valley is an established local exchange carrier in Arizona, with demonstrated  
22 financial stability. Financial data for Copper Valley is contained in annual reports on file with the  
23 Commission. As a rural local exchange carrier, Copper Valley has access to low-cost loans  
24 through the Rural Utilities Service (U.S. Department of Agriculture) which will accrue significant  
25 benefits to the Company's customers. Moreover, Copper Valley has the requisite managerial and  
26 technical expertise to provide a superior level of service to customers in the Extension Area.

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**SECTION VII**

The public convenience and necessity requires that telephone service be immediately provided in the requested Extension Area. Copper Valley is ready, willing and able to provide telephone service to customers within the Extension Area. It is not economically feasible for these potential customers to obtain telephone service from Qwest. Moreover, Qwest does not have the ability to provide as high a level of telecommunications services as that which would be provided by Copper Valley.

**SECTION VIII**

The requested Extension Area is not located within the incorporated limits of any city or town. Copper Valley will apply to extend its existing Cochise County franchise within thirty (30) days following a decision by the Commission approving this application.

**SECTION IX**

Copper Valley is providing a copy of this Application to Qwest simultaneous with this filing. The Company will provide such other notice of this Application as the Commission may order.

**SECTION X**

All correspondence regarding this Application should be directed to the Company's attorney as follows:

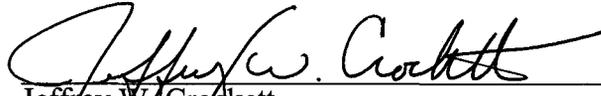
Jeffrey W. Crockett, Esq.  
SNELL & WILMER  
One Arizona Center  
Phoenix, Arizona 85004-2202  
Phone: (602) 382-6234  
Fax: (602) 382-6070  
E-mail: [jcrockett@swlaw.com](mailto:jcrockett@swlaw.com)

**CONCLUSION**

WHEREFORE, Copper Valley Telephone Company respectfully requests that the Commission expeditiously set this Application for hearing and issue its Order: (i) authorizing the

1 extension of Copper Valley's CC&N to include the above-described Extension Area within  
2 Cochise County; (ii) ordering the modification of Qwest's service area maps to remove the  
3 Extension Area; and (iii) authorizing Copper Valley to impose those rates and charges in the  
4 Extension Area that are contained in the Company's tariffs on file with the Commission.

5 RESPECTFULLY SUBMITTED this 17th day of March, 2003.

6  
7 

8 Jeffrey W. Crockett  
9 SNELL & WILMER  
10 One Arizona Center  
11 Phoenix, Arizona 85004  
12 (602) 382-6234  
13 Attorneys for Copper Valley Telephone Company

14 ORIGINAL and thirteen (13) copies  
15 of the foregoing filed this 17th day  
16 of March, 2003, with:

17 Docket Control  
18 ARIZONA CORPORATION COMMISSION  
19 1200 West Washington Street  
20 Phoenix, Arizona 85007

21 COPY mailed this 17th day  
22 of March, 2003, to:

23 Mark E. Brown, Staff Attorney-Policy and Law  
24 QWEST CORPORATION  
25 3033 North 3rd Street  
26 Room 1010  
Phoenix, Arizona 85012



1321025.1

# **ATTACHMENT A**



December 19, 2001

Stan White  
PO Box 308  
Tombstone, AZ 85638

This is in regard to the services you are requesting from Qwest on service order T70941087 to provide telecommunications service to 4060 E Davis Ranch Road in Tombstone, Arizona. Our engineers have determined that per the Arizona Network Services and Exchange tariff, Additional Rural Construction Charges apply. This amount has been determined from a pro-rated depreciated value taking into consideration the cable age, cable length, the pairs available within the cable, distance to your structure, and other factors. In addition Qwest has provided a three thousand dollar (\$3,000.00) allowance to you.

The Additional Rural Construction Charge to provide you with service would be \$8,640.73. This is a per line charge.

Should you wish to accept the charge, and continue with the process, **please call me collect at 303-784-0508** and I will arrange for a contract to be sent to you. This quote is valid for thirty (30) days from the date of this letter. If I have not been contacted on or before January 23, 2002 this order will be canceled.

Thank you,

A handwritten signature in cursive script that reads "Carol Davis".

Carol Davis  
Manager - Special Construction  
6912 S Quentin Street  
Englewood, CO 80112



P.O. Box 308  
Tombstone, Arizona 85638  
February 5, 2000  
520-457-3025

The Valley Companies  
P.O. Box 970  
Willcox, Arizona 85644

Dear Mr. Chastain:

The purpose of this letter is to document our previous conversations and to officially request your company consider providing landline telephone service to ranches on Davis Road. These ranches are the N I Ranch owned by Ruth E. Cowan; the Davis Ranch owned by Fred & Peggy Davis; the Mountain View Ranch owned by Stan & Ruth White.

The ranches are located west of the 47 Ranch where your current service terminates. It is approximately 10 miles from the 47 Ranch to the Davis and White properties. The Cowan Ranch is in between.

We are available any time to discuss this request, provide any information you may require, or assist in any way possible.

We certainly appreciate your help in this matter.

Sincerely,

*/s/*

Stan & Ruth White

*/s/*

Fred & Peggy Davis

*/s/*

Ruth E. Cowan

# **ATTACHMENT B**



Mountain Bell

MR. FRED DAVIS  
P.O. Box 62  
DOMBSTONE, AR 85638

MR DAVIS

This is to inform you that the calculation of the construction charges to provide you with telephone service at your location, near Davis Rd. have been completed.

The applicable construction to you is \$53,102.89. Please call our office by FEBRUARY 25 on 884-3185 as to the acceptance of these charges. If no word is received by this date, your order/request would subsequently be cancelled.

Sincerely,

Your Service Representative

\* THIS CHARGE CONSISTS OF 11 MILES OF NEW CONSTRUCTION, TO PROVIDE YOU WITH TELEPHONE SERVICE.

**Tom Bell**

---

**From:** Carmen K Fullbright [cfullbr@qwest.com]  
**Sent:** November 29, 2001 4:05 PM  
**To:** tom.bell@vtc.net  
**Subject:** Fred Davis Quote

Hi Tom,

We have been playing phone tag the past couple of days, so when Chris answered the phone at Valley I asked for your email address. Below you will find the quote from Qwest to Fred Davis. The Qwest Engineer sent a copy to me and I wanted you to have this information ASAP.

The Engineer that prepared the Davis quote advised me that each customer needs an actual County provided service address (for E911) to apply for new service at Qwest. Do you know if White and Cowan have applied for service at Qwest yet?

FRED DAVIS  
Quote to be sent to customer by mail is  
10,561.45 per line at  
4156 E Davis Ranch Rd  
Tombstone

Per engineer notes a job will be required that will require county, state and other permits and construction interval is estimated at about 6 months.

If you have any questions, please call me.

Thank you,

Carmen  
602-665-2792

SPAN WHITE  
4060 DAVIS RANCH RD



P.O. Box 308  
Tombstone, Arizona 85638  
February 5, 2000  
520-457-3025

The Valley Companies  
P.O. Box 970  
Willcox, Arizona 85644

Dear Mr. Chastain:

The purpose of this letter is to document our previous conversations and to officially request your company consider providing landline telephone service to ranches on Davis Road. These ranches are the N I Ranch owned by Ruth E. Cowan; the Davis Ranch owned by Fred & Peggy Davis; the Mountain View Ranch owned by Stan & Ruth White.

The ranches are located west of the 47 Ranch where your current service terminates. It is approximately 10 miles from the 47 Ranch to the Davis and White properties. The Cowan Ranch is in between.

We are available any time to discuss this request, provide any information you may require, or assist in any way possible.

We certainly appreciate your help in this matter.

Sincerely,

/s/

Stan & Ruth White

/s/

Fred & Peggy Davis

/s/

Ruth E. Cowan

# **ATTACHMENT C**



P.O. Box 308  
Tombstone, Arizona 85638  
February 5, 2000  
520-457-3025

The Valley Companies  
P.O. Box 970  
Willcox, Arizona 85644

Dear Mr. Chastain:

The purpose of this letter is to document our previous conversations and to officially request your company consider providing landline telephone service to ranches on Davis Road. These ranches are the NI Ranch owned by Ruth E. Cowan; the Davis Ranch owned by Fred & Peggy Davis; the Mountain View Ranch owned by Stan & Ruth White.

The ranches are located west of the 47 Ranch where your current service terminates. It is approximately 10 miles from the 47 Ranch to the Davis and White properties. The Cowan Ranch is in between.

We are available any time to discuss this request, provide any information you may require, or assist in any way possible.

We certainly appreciate your help in this matter.

Sincerely,

*/s/*

Stan & Ruth White

*/s/*

Fred & Peggy Davis

*/s/*

Ruth E. Cowan

# **ATTACHMENT D**

25 March 2002

To: Mr. Tom Bell  
Valley Telephone  
752 E Maley St  
Willcox, AZ 85643

From: Joseph Marco  
8751 E Rockcliff Rd  
Tucson AZ 85750  
520-749-3110

Mr. Bell, I was given your name by Ruth Evelyn Cowen Giles, and told that you may be able to help those of us along Davis Road outside Tombstone with telephone service.

The exact address of the proposed service is 2302 South Wild West Road, I presume Tombstone although that was not specified. Anyway it is about 3 1/2 miles east of Highway 80 on Davis Road and runs south only.

My experience with Quest was something. I spent four different days, one as long as 1 1/2 hours and talked to fourteen different people scattered all over the US. I went back and forth between four or five different departments and had people tell me everything from I can't have a house address that the mail man doesn't go to, to why don't I just get a cellular phone. I talked to the residential section, pre-provisional section, buried cable section, load specialist section and the engineering section. The bottom line was that I ended up talking to Doris in Sierra Vista, as Angelleen Meyers, the engineer was out of the office. Doris looked up the area and said that no service was currently available and that to bring the line four miles, which is about where I thought the closest current phone exists, would cost about \$40,000 plus labor. That was if the line could go to me without crossing any state land. Actually to do that would probably be about seven or eight miles and then would be \$80,000 plus as my cost to get a line to my property edge and then the mile and a half to the house would be extra. She distinctly stated that to get an accurate billing I would need to put in the order for a phone and they would engineer the exact costs. As you can see, no matter where her guesstimate was, the cost of a phone via their service is prohibitive.

Since cellular phone service in this area is not adequate, I was encouraged by Ruth Evelyn's suggestion and thus this inquiry. I would appreciate your evaluation of the matter.

Sincerely,



Joseph Marco



April 16, 2002

Joe Marco  
8751 E Rockcliff Road  
Tucson, AZ 85750

Following is a quote for the service you are requesting from Qwest to provide facilities to 2302 S Wild West Road in Tombstone, Arizona on service order N82671739.

This amount has been determined from a pro-rated depreciated value taking into consideration the cable age, cable length, the pairs available within the cable, distance to your structure, and other factors. In addition, Qwest has provided a three thousand dollar (\$3,000.00) allowance to you.

The Additional Rural Construction Charge to provide you with service will be \$62,696.26. This is a per line charge.

Engineering for the required work will not commence until Qwest has received signed contracts and payments for a minimum of sixteen services in your general area.

Should you wish to accept the charge, and continue with the process, **please call me at 303-784-0508** and I will arrange for a contract to be sent to you.

This quote is valid for thirty (30) days from the date of this letter. If I have not been contacted by June 20, 2002, your order will be canceled.

Thank you.

Carol Davis  
Sr. Project Analyst  
6912 S Quentin #201  
Englewood, CO 80012

# **ATTACHMENT E**

James M Browning  
129 Grierson Ave  
Ft Huachuca, As 85613  
520 439 4859  
[browningjim@cs.com](mailto:browningjim@cs.com)

Copper Valley Telephone  
752 Maley  
Wilcox, As 85644

Attn: Tom Bell

Sir:

I request that Copper Valley Telephone provide service to a new house that I am building on lot 130 of High Lonesome Ranch Estates.

I understand that presently my lot is approximately one half mile outside of Copper Valley's service area. However, my neighbor on lot 134 has requested service from Qwest and was informed that Qwest had no lines in our area and that the cost to install a line to his house would be in excess of \$30,000 because the line would have to be brought from the Tombstone area.

Copper Valley Telephone presently has a line less than one half mile from my building site and is providing service to the rest of High Lonesome Estates (approximately 100 lots). It does not make sense that Copper Valley can service most of High Lonesome but not those of us less than a mile away. It does not appear that Qwest has any interest in providing service to our area. I request that you approach Qwest and the Arizona Telephone Commission to allow Copper Valley to provide us service.

JAMES M BROWNING



# **ATTACHMENT F**

Gene E. Griffin  
101 Grierson Ave  
Ft Huachuca, As 85613  
520 459 2908  
[usma87@quik.com](mailto:usma87@quik.com)

Copper Valley Telephone  
752 Maley  
Wilcox, AZ 85644

Attn: Tom Bell

Sir:

I request that Copper Valley Telephone provide service to my lots that I recently purchased at High Lonesome Ranch Estates. The lots I purchased are 132 and 133. Even though I will not be building a house until 2-3 years from now, I will need service to those lots in the near future.

I understand that presently my lots are approximately one half mile outside of Copper Valley's service area. However, my neighbors on lots 130 and 134 have requested service from Qwest and were informed that Qwest had no lines in our area and that the cost to install a line to their homes would be in excess of \$30,000 because the line would have to be brought from the Tombstone area.

Copper Valley Telephone presently has a line less than one half mile from my building site and is providing service to the rest of High Lonesome Estates (approximately 100 lots). It does not make sense that Copper Valley can service most of High Lonesome but not those of us less than a mile away. It does not appear that Qwest has any interest in providing service to our area. I request that you approach Qwest and the Arizona Telephone Commission to allow Copper Valley to provide us service.

Sincerely,

Gene Griffin

# **ATTACHMENT G**

February 11, 2003

Valley Telephone Group  
Attn.: Tom Bell, Service Center Manager

Tom,

As per our conversation today, I am formally requesting telephone service from Valley Telephone Group for my property at 6688 W. Gleeson Road, Elfrida AZ 85610 (Parcel # 111-02-053, Section 3, Township 20, Range 24).

As of May 2003 we will have a large livestock barn on the property that we would like an initial phone line for business and emergency use. Our long range plan for this property is to have an 18 room Guest Ranch with restaurant in operation within five years. That means no less than twenty telephones located on my property alone. Additionally, the High Lonesome Ranch Estates(which I am located within) does not lie in either the Tombstone or Elfrida Fire Districts. This has brought about an interest in locating a Fire Station on my property to respond to local emergencies. Various homeowners have requested this from me since I have over twenty years experience working as a Firefighter. The location of a Fire Station on my Parcel requires a telephone line for Emergency Communications.

In conclusion I am requesting this service from Valley Telephone Group for many reasons. The first are the referrals I have received from my neighbors that have your service. They are very satisfied, especially with the high speed internet option. Secondly, I realize that I am in a "Qwest" service area. Accordingly I have called them to inquire about telephone service when I initially purchased the property in September of 2001. They did not respond. Then in August or September of 2002 I completed their Online Internet Application process. The automated response stated that a representative would contact me in 24-72 hours. To date I have yet to get a response from Qwest.

I understand that this process may take time but please add my name to your request list. If you have any questions please don't hesitate to call or email.

Don Boursier  
1120 Carriage Lane  
Corona, CA 92880  
909-549-0330 hm  
909-545-5336 cell  
trvlmedic@aol.com

# **ATTACHMENT H**

Dear (Qwest?)

We would like to request phone service be provided to our ranch and residence located at 2738 Middle March Road, in Cochise County, Arizona. We would like to have this service operational by 1 December 2002.

While at this time we are seeking residential service with two line capability, we will ultimately require significantly more capacity as part of our approved Master Plan Development - Bachmann Springs. For that project we will require high speed data service as well as reliable and high capacity residential and business service for approximately 750 homes and a 200 room hotel beginning in 2004.

It is our understanding that as the licensed phone provider in this service area, you will need to review current service capabilities in this area, and provide us in writing with a timeframe and ability to provide this level of service.

If you have questions on this request, or require more information about our future needs, please feel free to call me at 520-457-3100.

Sincerely,

Jim Heid  
Managing Director Development

JMI/bn

cc: JJB, JH, GG  
Project File

601 Fremont, P.O. Box 9  
Tombstone, AZ 85638  
Phone: 520.457.3100  
Fax: 520.457.3004



# Fax

<b>To:</b> Tom Bell	<b>From:</b> Jim Heid			
<b>Fax:</b> 520.826.1082	<b>Pages:</b> 4 (including cover)			
<b>Phone:</b>	<b>Date:</b> 8 January 03			
<b>Re:</b>	<b>CC:</b>			
<input type="checkbox"/> Urgent	<input type="checkbox"/> For Review	<input type="checkbox"/> Please Comment	<input type="checkbox"/> Please Reply	<input type="checkbox"/> Please Recycle

Good afternoon Tom:  
Per our discussion this morning.  
Very sincerely,

---

**BACHMANN SPRINGS, LLC.****MEMORANDUM****To: Tom Bell, Valley Telecom****From: Jim Heid****Date: 8 January 2003****RE: STATUS OF REQUEST FOR PHONE SERVICE**

As an update on our efforts to secure phone and data service for Bachmann Springs, please note the following:

In December of 2001, Don Robinson (Dry Utility Services) and I met with Lazo Mihajlovich of Qwest to inquire about phone and high speed data services to our property. Their response is explained in the attached e-mail dated 10 December.

In October of 2002, after some delays due to project financing, we re-initiated our request with a letter to Qwest requesting basic telephone service to our ranch. As of January 2003, we had not received any response to the request.

In January 2003, I began a series of calls to determine the status of our request. In order I called:

- 3 January - Regional office to secure a number for Steve Nichols - AZ Director of Engineering - to whom my letter was addressed. The office was not willing to provide that number and in turn gave me the Development Contractors voice mailbox.
- 3 January - Upon leaving a voice mail, I received a call from Sharon Blackburn, who did provide me with a number for Steve Nichols and Angelique Myers who handles our area.
- 3 January - I called Mr. Nichols, who referred me to Mary Cooper who heads up engineering for SE AZ. Mr. Nichols told me he would confirm the request's status with Mary and have her call me that day.
- 8 January - not having heard from Mr. Nichols or Ms. Cooper, I placed a call directly to Ms. Cooper and left a message in her mailbox.
- 8 January - I received a call from Larry Lewis, local engineer with Qwest to set up a meeting to discuss our project. That meeting is currently planned for 22 January.

P.O. BOX 9

TOMBSTONE, AZ. 85638

P: 520-457-3100 F: 520-457-3004

4/13  
4/13  
N



**DRY UTILITY SERVICES**  
COORDINATION • PLANNING • NEGOTIATIONS

2-10

January 25, 2002

Mr. Jim Heid  
BACHMANN SPRINGS, LTD.  
601 East Fremont Street  
PO Box 9  
Tombstone, Arizona 85638

SUBJECT: BACHMANN SPRINGS TELEPHONE SERVICE

Dear Jim:

Enclosed is a copy of the information that I received from Lazo as result of our recent meeting with him. We now have the proper contact information for the Qwest service coordination. I will contact both of these engineers to stress their need for planning your future telephone service. As the memo states it does not appear that Qwest has facilities available for high-speed data service at this time. It is also unlikely that they will spend the money in the Tombstone Central Office to expand their capabilities for the Bachmann Springs project. There may be wireless options available that may be pursued. I recommend that you do not plan for Qwest to provide anything beyond basic telephone service.

We appreciate the opportunity to be part of your planning team and will keep you advised as additional information becomes available. If you have any questions regarding the enclosed information, please let me know.

Sincerely,

DRY UTILITY SERVICES

Don Robinson  
President

enclosure

cc Bill Walker/WLB Group (with encl)

Handwritten: Jaxel 1/28/02

**Don Robinson**

---

**From:** "Lazo Mihajlovich" <lmihajl@qwest.com>  
**To:** <donr@dryutiliserv.com>; <jheid@bachmannsprings.ws>  
**Sent:** Monday, December 10, 2001 1:48 PM  
**Subject:** Bachmann Springs Telephone service  
Don & Jim:

Here's a synopsis of what I have discovered concerning providing service to you community:

The Field Engineer that handles Tombstone is Gary Wachter 502 458-2342

The Tactical Planner for that area is Nancy Newman 303 707-3657

I've spoken to both of them about the project so they are aware of the timing and projected absorptions. I've forwarded the plans as well.

According to Gary, we are nearly out of capacity in the CO. Tombstone was included in the sale to Citizen's which was never consumated, so we had no plans to expand. You'll want to keep in touch with them as to how they plan to serve the community.

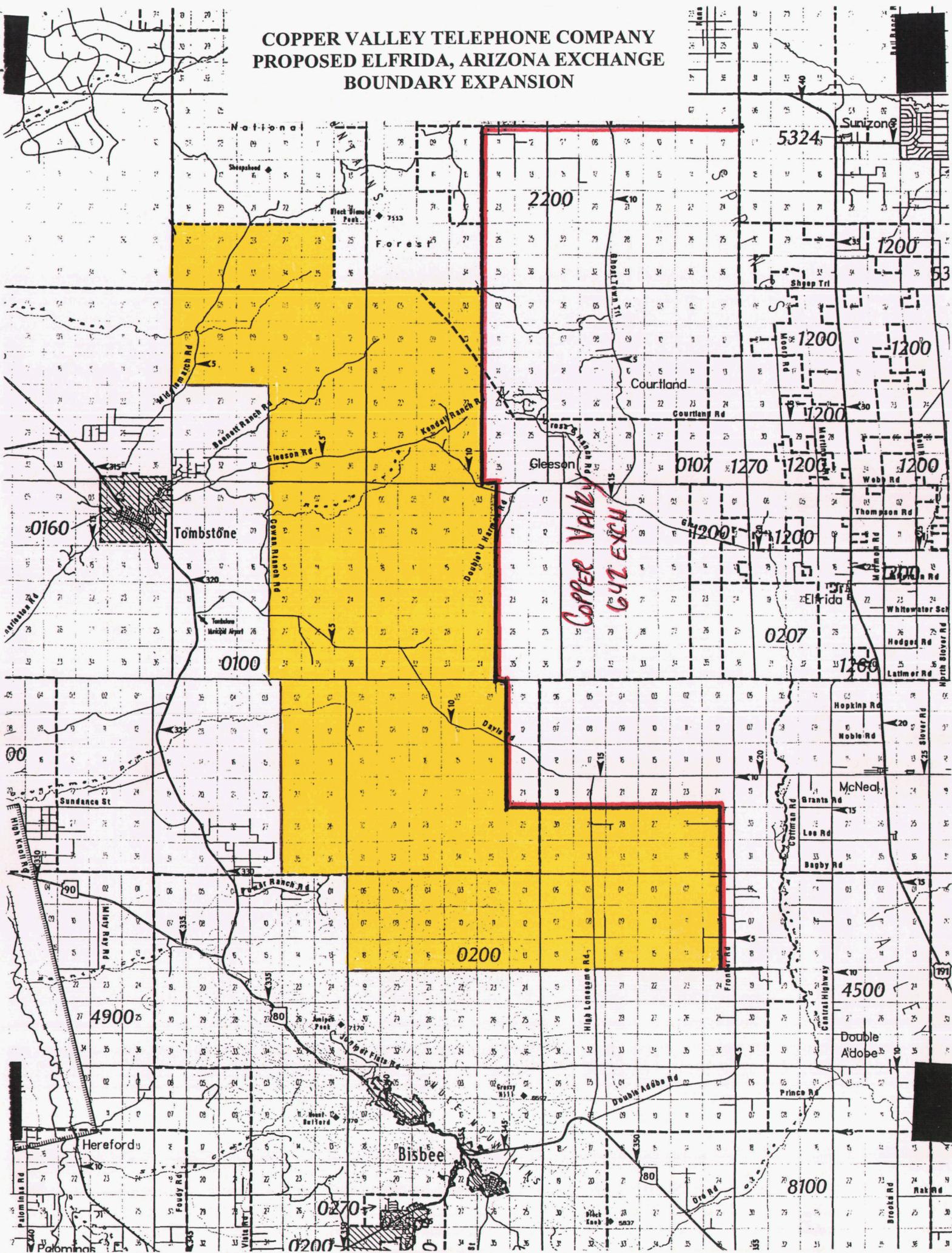
Unfortunately, there is probably little opportunity for us to be able to provide any kind of high-speed data services. I'll keep my ear to the ground about such developments. I shall try to determine if we are trialing some rural oriented technology - we have lots of places in Montana, Wyoming, the Dakotas, etc. that will be in the same general set of circumstances as Bachmann Springs. If so, maybe we can make your community a test case...but I suggest you continue to pursue alternatives that may be available.

Feel free to contact me if you think I can be of additional service.

Lazo Mihajlovich  
602 351-5034

# **ATTACHMENT I**

# COPPER VALLEY TELEPHONE COMPANY PROPOSED ELFRIDA, ARIZONA EXCHANGE BOUNDARY EXPANSION



# **ATTACHMENT J**

ELFRIDA, ARIZONA EXCHANGE AREA LEGAL DESCRIPTION  
(PAGE 1 OF 3)

BEGINNING at the Southwest Corner of Section 6, Township 18 South, Range 26 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona;

THENCE East along the South line of said Section 6 to the Southwest Corner of Section 3, said point also being the Northwest Corner of Section 10, Township 18 South, Range 26 East;

THENCE South along the West line of said Section 10 to the West Quarter corner;

THENCE East along the East West Mid-Section line to West Quarter Corner of Section 12;

THENCE South along the West line of Sections 12 and 13 to the Southwest Corner of Section 13, Township 18 South, Range 26 East, said point also being the Southeast corner of Section 14;

THENCE West along the South Line of Section 14, Township 18 South, Range 26 East to the South Quarter Corner, said point also being the North Quarter Corner of Section 23;

THENCE South along the North-South Mid-Section line to the South Quarter Corner of Section 23, Township 18 South, Range 26 East;

THENCE East along the South line of Section 23, Township 18 South, Range 26 East to the South East Corner, said point also being the Northwest Corner of Section 25;

THENCE South along the West line of said Section 25 and 36 to the Southwest Corner of said Section 36, Township 18 South, Range 26 East;

THENCE East along the South line of Section 36, Township 18 South, Range 26 East to the Southeast Corner of Section 36, Township 18 South, Range 26 East;

THENCE East along the South line of Section 31, 32 and 33 to the Southeast Corner of said Section 33, Township 18 South, Range 27 East, said point also being the Northeast Corner of Section 4, Township 19 South, Range 27 East;

THENCE South along the East line of Sections 4, 9, 16, 21, 28 and 33 to the Southeast Corner of said Section 33, said point also being the Southwest Corner of Section 34, Township 19 South, Range 27 East;

THENCE East along the South line of Section 34 to the Southeast corner, said point also being the Northeast Corner of Section 3, Township 20 South, Range 27 East;

THENCE South along the East line of Sections 3, 10, 15, 22, 27 and 34 to the Southeast Corner of Section 34, Township 20 South, Range 27 East;

THENCE East along the South line of said Section 35, Township 20 South, Range 27 East to the Northeast corner of Section 2, Township 21 South, Range 27 East;

THENCE South along the East line of Section 2, 11, 14, 23, 26 and 35 to the Southeast Corner of said Section 35, said point also being the Southwest Corner of Section 36;

THENCE East along the South line of Section 36, Township 21 South, Range 27 East to the Southeast Corner, said point also being the Northeast Corner of Section 1, Township 22 South, Range 27 East;

THENCE South along the East line of Sections 1, 12 and 13 to the East Quarter Corner of said Section 13;

ELFRIDA, ARIZONA EXCHANGE AREA LEGAL DESCRIPTION  
(PAGE 2 OF 3)

THENCE West along the East West Mid-section line of Section 13, 14, 15, 16, 17 and 18, Township 22 South, Range 27 East to the West Quarter Corner of Section 18, said point also being the East Quarter Corner of Section 13, Township 22 South, Range 26 East;

THENCE continuing West along the East West Mid-section line of Sections 13, 14, 15, 16, 17 and 18 to the West Quarter Corner of Section 18, Township 22 South, Range 26 East, said point also being the East Quarter Corner of Section 13, Township 22 South, Range 25 East;

THENCE continuing West along the East West Mid-Section line of Section 13 to the Center of said Section 13, Township 22 South, Range 25 East;

THENCE South to the South quarter corner of said section 13, said point also being the North quarter of section 24,

THENCE West along the North line of sections 13,14 to the South West corner of said section 14, Township 22 South, Range 25 East;

THENCE continuing West along the south line of sections 15,16,17 and 18, Township 22 South, Range 25 East, said point also being Southeast corner of section 13, Township 22 South, Range 24 East.

THENCE continuing West along the south line of sections 13,14,15,16,17, and 18 to the Southwest corner of said section 18, Township 22 South, Range 24 East, Said point also being the Southeast corner of section 13, Township 22 South, Range 23 East.

THENCE continuing North along the west lines of sections 18, 07, 06 to the Northwest corner of section 06, Township 22 South, Range 24 East, said point also being the Northeast corner of section 01, Township 22 South, Range 23 East.

THENCE continuing West along the south line of sections 36 and 35 to the Southwest corner of said section 35, Township 21 South, Range 23 East.

THENCE continuing North on the West line of sections 35,26,23,14,11,02 to the Northwest corner of said section 02, Township 21 South, Range 23 East, said point also being the Northeast corner of section 03, Township 21 South, Range 23 E.

THENCE continuing West on the south line section 34 to the corner of Southwest corner of said section 34, Township 20 South, Range 23 East said point also being the Southeast corner of section 33, Township 20 South, Range 23 East.

THENCE continuing North along the west line of sections 34, 27, 22,15,10, and 03 to the Northwest corner of said section 03, Township 20 South, Range 23 East, said point also being the Northeast corner of section 04, Township 20 South, Range 23 East.

THENCE continuing North along the west section line of sections 34, 27, and 22 to the Northwest corner of said section 22, Township 19 South, Range 23 East, said point also being the Southwest corner of section 15, Township 19 South, Range 23 East.

THENCE continuing West along along the south lines of sections, 16,17 and 18 to the southwest corner of said section 18, Township 19 South, Range 23 East, said point also being the Northeast corner of section 24, Township 19 South, range 22 East.

ELFRIDA, ARIZONA EXCHANGE AREA LEGAL DESCRIPTION  
(PAGE 3 OF 3)

THENCE continuing North on the west line of sections 18, 07, and 06 to the Northwest corner of said section 06, Township 19 South, Range 23 East, said point also being the Southwest corner of section 36, Township 18 South, Range 22 East.

THENCE continuing North along the West line of sections 31 and 30 to the Northwest corner of said section 30, Township 18 South, Range 23 East.

THENCE continuing East along the North line of sections 30,29,28,27, 26 and 25 to the Northeast corner of said section 25, township 18 South, Range 23 East., Said point also being the Southeast corner of section 24, township 18 South, Range 23 East.

THENCE continuing South along the East side of sections 25 and 36 to the Southeast corner of said section 36, Township 18 South, Range 23 East, said section also being the point of the Southwest corner of section 31, Township 18 South Range 24 East.

THENCE continuing East along the north line of sections 06,05,04,03 to the Northeast corner of said section 03, Township 19 South, Range 24 East., said point also being the Southwest Corner of Section 35, Township 18 South, Range 24 East;

THENCE North along the West line of Sections 35, 26, 23, 14 and 11 to the West Quarter Corner of Section 11, Township 18 South, Range 24 East;

THENCE East along the East West Mid-section line of Sections 11 and 12 to the East Quarter Corner of Section 12 , Township 18 South, Range 24 East, said point also being the West Quarter Corner of Section 7 Township 18 South Range 25 East;

THENCE East along the East West Mid-section line of Sections 7, 8, 9, 10, 11 and 12 to the East Quarter Corner of Section 12, Township 18 South, Range 25 East;

THENCE North along the East line of Section 12 to the Northeast Corner, said point also being the Southeast Corner of Section 6, Township 18 South, Range 26 East and the Point of Beginning.