



BEFORE THE ARIZONA CORPORATION

MARC SPITZER
Chairman
JIM IRVIN
Commissioner
WILLIAM A. MUNDELL
Commissioner
JEFF HATCH-MILLER
Commissioner
MIKE GLEASON
Commissioner

Arizona Corporation Commission

DOCKETED

MAY 16 2003

DOCKETED BY *sd*

IN THE MATTER OF PROPOSED AMENDMENTS
TO ARTICLE 11, COMPETITIVE
TELECOMMUNICATIONS SERVICES, R14-2-
1107, APPLICATION TO DISCONTINUE OR
ABANDON LOCAL EXCHANGE SERVICE AREA

Docket No. RT-00000J-03-0218

Decision No. 65923

ORDER

Open Meeting
May 13 and 14, 2003
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. As directed by the Commission at the April 1, 2003 Open Meeting, Staff of the Utilities Division ("Staff") of the Arizona Corporation Commission ("Commission") proposes to amend Arizona Administrative Code Rule 14-2-1107.

2. Staff proposes amending A.A.C. R14-2-1107 which governs the abandonment of service by local exchange service providers. The proposed amendments would hold interexchange service providers abandoning their service area to the same requirements as local exchange service providers abandoning their service area. (See Exhibit A).

3. Staff believes that the proposed amendments will be beneficial to the general public by requiring resellers of interexchange services to provide notice and a list of alternate providers before abandonment. Staff believes appropriate notice requirements are in the best interest of the public.

4. Staff further recommends that the Hearing Division issue a procedural order directing staff to submit the proposed amendments to the Secretary of State and to schedule a date for public

1 comment hearing on the proposed amendment to the Rules to be held in Phoenix or Tucson, Arizona
2 no earlier than 30 days after publication in the *Arizona Administrative Register*.

3 CONCLUSIONS OF LAW

4 1. Pursuant to Article XV of the Arizona Constitution and A.R.S. Title 40 generally, the
5 Commission has authority in this matter.

6 2. It is in the public interest to issue a Procedural Order in this matter, as requested by
7 Staff.

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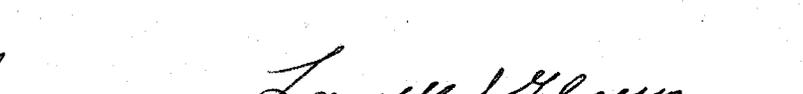
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ORDER

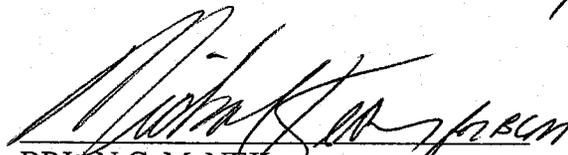
THEREFORE, IT IS ORDERED that the Hearing Division issue a Procedural Order scheduling a public comment hearing.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

		
CHAIRMAN	COMMISSIONER	COMMISSIONER

	
COMMISSIONER	COMMISSIONER

IN WITNESS WHEREOF, I BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 16TH day of MAY, 2003.


 BRIAN C. McNEIL
 Executive Secretary

DISSENT: _____

DISSENT: _____

EGJ:AJL:lhv

1 The original and thirteen (13) copies of the foregoing
2 were filed this 1st day of May, 2003 with:

3 Mr. Ernest G. Johnson
4 Director, Utilities Division
5 Arizona Corporation Commission
6 1200 West Washington Street
7 Phoenix, Arizona 85007

8 Mr. Christopher C. Kempley
9 Chief Counsel
10 1200 West Washington Street
11 Phoenix, Arizona 85007

12 Docket Control
13 Arizona Corporation Commission
14 1200 West Washington Street
15 Phoenix, Arizona 85007

16 Copy of the foregoing was mailed this 1st day of
17 May, 2003, to:

18 Thomas H. Campbell
19 Lewis and Roca
20 40 N. Central Avenue
21 Phoenix, AZ 85004

22 Ms. Theresa Tan
23 WorldCom, Inc.
24 201 Spear Street
25 Department 9976
26 San Francisco, California 94105

27 Mr. Daniel Pozefsky
28 RUCO
1110 West Washington, Suite 220
Phoenix, Arizona 85007

Ms. Cindy Manheim
Regulatory Counsel
AT&T Wireless
7277-164th Avenue, NE
Redmond, Washington 98052

Mr. Eric S. Heath
Sprint Communications Company
100 Spear Street, Suite 930
San Francisco, California 94105

Mr. Timothy Berg
Ms. Theresa Dwyer
Fennemore Craig, PC
3003 North Central Avenue, Suite 2600
Phoenix, Arizona 85004

Mr. Jeffrey W. Crockett
Mr. Thomas L. Mumaw
Snell & Wilmer, LLP
One Arizona Center
Phoenix, Arizona 85004-2202

Ms. Joan S. Burke
Osborn Maledon, P.A.
2929 North Central Avenue, Suite 1200
Phoenix, Arizona 85012

Mr. Richard S. Wolters
Ms. Maria Arias-Chapleau
AT&T Comm. of the Mountain States, Inc.
1875 Lawrence Street, Suite 1575
Denver, Colorado 80202

Mr. Steven J. Duffy
Ridge & Isaacson, PC
3101 North Central Avenue, Suite 1090
Phoenix, Arizona 85012

Qwest Corporation
1801 California Street, Suite 5100
Denver, Colorado 80202

1 Mr. Andrew O. Isar
2 TRI
3 4310 92nd Avenue, N.W.
4 Gig Harbor, Washington 98335

5 Mr. Mark DiNunzio
6 Cox Arizona Telcom, L.L.C.
7 20401 N. 29th Avenue, Suite 100
8 Phoenix, Arizona 85027

9 Mr. Richard M. Rindler
10 Mr. Morton J. Posner
11 Swider & Berlin
12 3000 K Street, N.W., Suite 300
13 Washington, D.C. 20007

14 Mr. Charles Kallenbach
15 American Communications Services, Inc.
16 131 National Business Parkway
17 Annapolis Junction, Maryland 20701

18 Mr. Thomas F. Dixon
19 MCI Telecommunications Corp.
20 707 17th Street, Suite 3900
21 Denver, Colorado 80202

22 Ms. Joyce Hundley
23 United States Department of Justice
24 Antitrust Division
25 1401 H Street NW, Suite 8000
26 Washington, DC 20530

27 Mr. Scott S. Wakefield
28 RUCO
1110 West Washington, Suite 220
Phoenix, Arizona 85007

Mr. Gregory Hoffman
AT&T Telecommunications
795 Folsom Street, Room 2159
San Francisco, California 94107-1243

Mr. Douglas Hsiao
MR. Jim Scheltema
Blumenfeld & Cohen
1625 Massachusetts Ave. NW, Suite 300
Washington, D.C. 20036

Ms. Maureen Arnold
Qwest Communications, Inc.
3033 North Third Street, Room 1010
Phoenix, Arizona 85012

Mr. Michael M. Grant
Gallagher & Kennedy
2575 East Camelback Road
Phoenix, Arizona 85016-9225

Mr. Mark Kioguardi
Tiffany and Bosco PA
500 Dial Tower
1850 North Central Avenue
Phoenix, Arizona 85004

Mr. Charles Best, Esq.
Associate General Counsel
Electric Lightwave, Inc.
4400 NE 77th Avenue
Vancouver, Washington 98662

Mr. Darren S. Weingard
Mr. Stephen H. Kukta
Sprint Communications Co. L.P.
1850 Gateway Drive, 7th Floor
San Mateo, California 94404-2467

Jon Loehman
Managing Director-Regulatory
SBC Telecom, Inc.
5800 Northwest Parkway
Suite 135, Room 1.S.40
San Antonio, Texas 78249

Mr. Mark P. Trincherro
Davis Wright Tremaine LLP
1300 SW Fifth Avenue, Suite 2300
Portland, Oregon 97201

Mr. Daniel Waggoner
Davis Wright Tremaine
2600 Century Square
1501 Fourth Avenue
Seattle, Washington 98101-1688

Mr. M. Andrew Andrade
5261 South Quebec Street, Suite 150
Greenwood Village, Colorado 80111

1 Mr. Raymond S. Heyman
Mr. Michael W. Patten
Roshka Heyman & DeWulf
2 400 East Van Buren, Suite 800
Phoenix, Arizona 85004

3 Ms. Diane Bacon
4 Legislative Director
Communications Workers of America
5 5818 North Seventh Street, Suite 206
Phoenix, Arizona 85014-5811

6 Mr. Mark N. Rogers
7 Excell Agent Services, L.L.C.
2175 West 14th Street
8 Tempe, Arizona 85281

9 Mr. Robert S. Tanner
3311 Third Street N
10 Arlington, Virginia 22201-1711

11
12 Ms. Wendy Wheeler
Vice President
13 Alltel
11333 North Scottsdale Road, Suite 200
14 Scottsdale, Arizona 85254

15 Ms. Deborah R. Scott
Associate General Counsel
16 Citizens Communications Company
2901 North Central Avenue, Suite 1660
17 Phoenix, Arizona 85012

18 Mr. Jon Poston
19 Consumer Coordinator
ACTS
20 6733 East Dale Lane
21 Cave Creek, Arizona 85331

22 Ms. Karen Clauson
Eschelon Telecom
23 730 Second Avenue South, Suite 1200
Minneapolis, Minnesota 55402

24
25 Lyndall Nipps
26 Director, Regulatory
Allegiance Telecom, Inc.
27 845 Camino Sure
Palm Springs, California 92262

Mr. Todd C. Wiley
Gallagher & Kennedy
2575 East Camelback Road
Phoenix, Arizona 85016-9225

Ms. Megan Deberneck
Covad Communications Co.
7901 Lowry Boulevard
Denver, Colorado 80230

Mr. Al Sterman
Arizona Consumers Council
2849 East Eighth Street
Tucson, Arizona 85716

Mr. Brian Thomas
Vice President, Regulatory-West
Time Warner Telecom, Inc.
223 Taylor Avenue North
Seattle, Washington 98109

Mr. Michael Bagley
Director of Public Policy
Verizon Wireless
15505 Sand Canyon Avenue
Irvin, California 92618

Mr. Curt Huttshell
Citizens Communications
Electric Lightwave, Inc.
4 Triad Center, Suite 200
Salt Lake City, Utah 84180

Mr. Mike Allentoff
Global Crossing Services, Inc.
1080 Pittsford Victor Road
Pittsford, New York 14534

Mr. Steven W. Cheifetz, Esq.
Robert J. Metli, Esq.
Cheifetz & Iannitelli, P.A.
3238 North 16th Street
Phoenix, Arizona 85016

Mr. Johnathan Kilburn
Nextel Communications
4643 South Ulster, Suite 500
Denver, Colorado 80207

AMENDED EXHIBIT A

ARTICLE 11. COMPETITIVE TELECOMMUNICATIONS SERVICES

R14-2-1107. Application to Discontinue or Abandon Local Exchange or Interexchange Services

- A. Any telecommunications company providing competitive local exchange or interexchange service on a resold or facilities-based basis that intends to discontinue service or to abandon all or a portion of its service area shall file an application for authorization with the Commission setting forth the following:
1. Any reasons for the proposed discontinuance of service or abandonment of service area;
 2. Verification that all affected customers have been notified of the proposed discontinuance or abandonment, and that all affected customers will have access to an alternative local exchange service provider or interexchange service provider;
 3. Where applicable, a plan for the refund of deposits collected pursuant to subsection R14-2-503(B);
 4. A list of all alternative utilities providing the same or similar service within the affected geographic area.
- B. When the Application is submitted to the Docket Control Center, it will not be filed until it is found to be in proper form. No later than 20 days after the Application is filed, the telecommunications company shall publish legal notice of the Application in all counties affected by the Application. The legal notice shall describe with particularity the substance of the Application. Interested persons shall have 30 days from the publication of legal notice to file objections to the Application, to request a hearing, and to submit a motion to intervene in the proceeding.
- C. Once proper notice is effected and if no objection is filed, the Commission may grant the application without a hearing.