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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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MARC SPITZER, Chairman
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JEFF HATCH-MILLER
MIKE GLEASON
KRISTIN K. MAYES

AZ CORP COMMISSION
DOCUMENT CONTROL

JUL - 1 2004

DOCKETED BY
CR

IN THE MATTER OF QWEST CORPORATION'S
FILING OF RENEWED PRICE REGULATION
PLAN.

DOCKET NO. T-01051B-03-0454

IN THE MATTER OF THE INVESTIGATION OF
THE COST OF TELECOMMUNICATIONS
ACCESS.

DOCKET NO. T-00000D-00-0672

PROCEDURAL ORDER

BY THE COMMISSION:

On July 1, 2003, Qwest Corporation ("Qwest") filed the Qwest Renewed Price Regulation Plan pursuant to the provisions of the Second Revised Settlement Agreement approved in Decision No. 63487 on March 30, 2001.

By Procedural Order dated November 17, 2003, the Commission determined that Phase I of the Access Charge Docket, which addresses Qwest's access charges, should be considered in conjunction with the Price Cap Plan Docket.

By Procedural Order dated March 22, 2004, the Hearing Division established the following timeline for a hearing and the filing of testimony in these matters:

Staff to determine sufficiency ¹	30 days after Qwest filing
Staff and Intervenors to file direct testimony	120 days after sufficiency
Qwest Rebuttal	150 days after sufficiency
Staff and Intervenor Surrebuttal	171 days after sufficiency
Qwest Rejoinder	185 days after sufficiency
Hearing	195 days after sufficiency

On May 20, 2004, Qwest filed its Direct Testimony for Modification of Price Cap Plan,

¹ Following Qwest's A.A.C. R14-2-103 filing.

1 Request for Deregulation of Services and Request for Arizona Universal Service Funding and
2 associated Exhibits.

3 On June 21, 2004, Staff filed a Letter of Sufficiency, which indicates that Staff was accepting
4 Qwest's filing as sufficient pending Qwest updating its filing with certain information that it had
5 agreed to provide in discussions with Staff. Staff reserved their right to raise deficiency issues once it
6 had received Qwest's supplemented filing.

7 On June 21, 2004, Qwest filed Revised Schedules to reflect Staff's comments made in the
8 course of Staff's sufficiency review.

9 Accordingly, pursuant to the guidelines set in our March 22, 2004 Procedural Order, the
10 Commission now issues the current Procedural Order to govern the preparation and conduct of this
11 proceeding.

12 IT IS THEREFORE ORDERED that the hearing in the above-captioned matter shall
13 commence on **January 13, 2005, at 10:00 a.m.**, or as soon thereafter as is practical, at the
14 Commission's offices, **1200 West Washington, Phoenix, Arizona 85007.**

15 IT IS FURTHER ORDERED that a pre-hearing conference shall be held on **January 6, 2005,**
16 **at 1:30 p.m.**, at the Commission's Phoenix offices, for the purpose of scheduling witnesses and the
17 conduct of the hearing.

18 IT IS FURTHER ORDERED that any testimony and associated exhibits to be presented at
19 hearing on behalf of Staff shall be reduced to writing and filed on or before **October 19, 2004.**

20 IT IS FURTHER ORDERED that any testimony and associated exhibits to be presented at
21 hearing on behalf of intervenors shall be reduced to writing and filed on or before **October 19, 2004.**

22 IT IS FURTHER ORDERED that any rebuttal testimony and associated exhibits to be
23 presented at hearing by Qwest shall be reduced to writing and filed on or before **November 18, 2004.**

24 IT IS FURTHER ORDERED that any surrebuttal testimony and associated exhibits to be
25 presented by the Staff or intervenors shall be reduced to writing and filed on or before **December 9,**
26 **2004.**

1 IT IS FURTHER ORDERED that any Rejoinder testimony and associated exhibits to be
2 presented by the Company shall be reduced to writing and filed on or before **noon on December 23,**
3 **2004.**

4 IT IS FURTHER ORDERED that any objections to any testimony or exhibits which have
5 been prefiled as of **December 23, 2004**, shall be made before or at the **January 6, 2005** pre-hearing
6 conference.

7 **IT IS FURTHER ORDERED that all testimony and evidence will be filed and entered**
8 **“on the public record” unless a prior determination has been made by the Administrative Law**
9 **Judge or Commission that the material is confidential. Accordingly, a procedural conference**
10 **will be held on Tuesday, July 20, 2004 at 11:00 a.m. at the Commission’s offices, 1200 West**
11 **Washington, Phoenix, Arizona to discuss the procedures pertaining to confidentiality.**

12 IT IS FURTHER ORDERED that all testimony filed shall include a table of contents which
13 lists the issues discussed.

14 IT IS FURTHER ORDERED that any substantive corrections, revisions, or supplements to
15 pre-filed testimony shall be reduced to writing and filed no later than five days before the witness is
16 scheduled to testify.

17 IT IS FURTHER ORDERED that the parties shall prepare a brief, written summary of the
18 pre-filed testimony of each of their witnesses and shall file each summary at least two working days
19 before the witness is scheduled to testify.

20 IT IS FURTHER ORDERED that copies of summaries should be served upon the Presiding
21 Administrative Law Judge, the Commissioners, and the Commissioners’ aides, as well as the parties
22 of record.

23 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,
24 except that all motions to intervene must be filed on or before October 9, 2004.

25 IT IS FURTHER ORDERED that discovery shall be as permitted by law and the rules and
26 regulations of the Commission, except that: until November 30, 2004, any objection to discovery
27 requests shall be made within 7 calendar days of receipt and responses to discovery requests shall be
28 made within 10 calendar days of receipt; thereafter, objections to discovery requests shall be made

1 within 5 calendar days and responses shall be made in 7 calendar days; the response time may be
2 extended by mutual agreement of the parties involved if the request requires extensive compilation
3 efforts.

4 IT IS FURTHER ORDERED that, in the alternative to filing a written motion to compel
5 discovery, any party seeking discovery may telephonically contact the Commission's Hearing
6 Division to request a date for a procedural conference to resolve the discovery dispute; that upon such
7 a request, a procedural conference will be convened as soon as practical; and that the party making
8 such a request shall forthwith contact all other parties to advise them of the procedural conference
9 date and shall at the conference provide a statement confirming that the other parties were contacted.²

10 IT IS FURTHER ORDERED that any motions which are filed in this matter and which are
11 not ruled upon by the Commission within 10 business days of the filing date of the motion shall be
12 deemed denied.

13 IT IS FURTHER ORDERED that any responses to motions shall be filed within five business
14 days of the filing date of the motion.

15 IT IS FURTHER ORDERED that any replies shall be filed within five business days of the
16 filing date of the response.

17 IT IS FURTHER ORDERED that Qwest shall provide public notice of the hearing in this
18 matter, in the following form and style:

19 **PUBLIC NOTICE OF HEARING ON**
20 **QWEST CORPORATION'S APPLICATION FOR**
21 **RENEWED PRICE REGULATION PLAN,**
22 **DEREGULATION OF SERVICES,**
23 **REQUEST FOR ARIZONA UNIVERSAL SERVICE FUNDING**
24 **AND ON THE INVESTIGATION OF**
25 **TELECOMMUNICATIONS ACCESS CHARGES**
26 **DOCKET NO. T-01051B-03-0454, ET AL.**

27 On May 21, 2004, Qwest Corporation ("Qwest" or "Company") filed an application
28 with the Arizona Corporation Commission ("Commission") for a renewed price
regulation plan, deregulation of services, and request for Arizona universal service
funding. This matter has been consolidated with the investigation of
telecommunications access charges. Qwest has requested changes in rates for specific
services, the introduction of a "competitive zone" test for competitive services, the

² The parties are encouraged to attempt to settle discovery disputes through informal, good-faith negotiations before seeking Commission resolution of the controversy.

1 elimination of the revenue cap on competitive services and greater flexibility in
2 pricing competitive services. The actual rate changes for individual customers will
3 vary depending upon the type and quantity of service provided. Copies of the
4 Company's application and proposed tariffs are available at its office and the
5 Commission's offices for public inspection during regular business hours.

6 The Commission will hold a hearing on this matter beginning **January 13, 2005, at**
7 **10:00 a.m.**, at the Commission's offices, 1200 West Washington, Phoenix, Arizona.
8 Public comments will be taken on the first day of the hearing.

9 The law provides for an open public hearing at which, under appropriate
10 circumstances, interested parties may intervene. Intervention shall be permitted to any
11 person entitled by law to intervene and having a direct and substantial interest in the
12 matter. Persons desiring to intervene must file a written motion to intervene with the
13 Commission, which motion should be sent to the Company or its counsel and to all
14 parties of record, and which, at the minimum, shall contain the following:

- 15 1. The name, address, and telephone number of the proposed intervenor
16 and of any party upon whom service of documents is to be made if
17 different than the intervenor.
- 18 2. A short statement of the proposed intervenor's interest in the
19 proceeding (e.g., a customer of the Company, a stockholder of the
20 Company, etc.).
- 21 3. A statement certifying that a copy of the motion to intervene has been
22 mailed to the Company or its counsel and to all parties of record in the
23 case.

24 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
25 that all motions to intervene must be filed on or before **October 9, 2004**. The granting
26 of intervention, among other things, entitles a party to present sworn evidence at
27 hearing and to cross-examine other witnesses. However, failure to intervene will not
28 preclude any customer from appearing at the hearing and making a statement on such
customer's own behalf. All correspondence should contain the Docket No. T-
01051B-03-0454, et al.

If you wish to make written comments objecting to, or supporting this application.
Mail them to:

Arizona Corporation Commission
Attention Docket Control
Re: Qwest Corporation
T-01051B-03-0454 & T-00000D-00-0672
1200 W. Washington Street
Phoenix, Arizona 85007

If you have any questions about this application, or want further information on
intervention, you may contact the Consumer Services Section of the Commission at
1200 W. Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

The Commission does not discriminate on the basis of disability in admission to its
public meetings. Persons with a disability may request a reasonable accommodation
such as a sign language interpreter, as well as request this document in an alternative
format, by contacting Yvonne McFarlin, ADA Coordinator, voice phone number

602/542-3931, E-mail ymcfarlin@cc.state.az.us. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that Qwest shall mail to each of its customers, and publish at least twice³ in a newspaper of general circulation in every county in Arizona in which it does business, a copy of the above notice by August 15, 2004.

IT IS FURTHER ORDERED that Qwest shall file certifications of mailing and publication as soon as practical after the mailing or publication has been completed.

IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing or publication of same, notwithstanding the failure of an individual customer to read or receive the notice.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized Communications) continues to apply to this proceeding.

IT IS FURTHER ORDERED that all parties must comply with Rule 33 (c) of and (d) of the Rules of the Arizona Supreme Court with respect to practice of law and admission *pro hac vice*.

IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the Rules of the Arizona Supreme Court). Representation before the Commission includes the obligation to appear at all hearings and procedural conferences, as well as all Open Meetings for which the matter is scheduled for discussion, unless counsel has previously been granted permission to withdraw by the Administrative Law Judge or the Commission.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 1 day of July, 2004.


JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

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...
...

³ Publication shall occur at least 7 days apart.

1 Copy of the foregoing mailed/delivered
this ___ day of July, to:

2 TIMOTHY BERG
3 TERESA DWYER
4 DARCY RENFRO
5 FENNEMORE CRAIG, P.C.
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MONROE LA 71211-4065

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3 MIDVALE TELEPHONE EXCHANGE
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MIDVALE ID 83645-0000

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5 NAVAJO COMMUNICATIONS COMPANY, INC.
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PHOENIX AZ 85012

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10
11 SOUTH CENTRAL UTAH TELEPHONE
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PO BOX 226
ESCALANTE UT 84726-0000

12
13 SOUTHWESTERN TELEPHONE CO, INC.
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MADISON, WI 53705-0158

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15 TABLE TOP TELEPHONE COMPANY, INC.
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AJO, AZ 85321-0000

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17 VALLEY TELEPHONE COOPERATIVE INC.
752 E MALLEY STREET P O BOX 970
WILLCOX AZ 85644

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19 VERIZON CALIFORNIA INC.
ONE VERIZON WAY - CA500GCF
THOUSAND OAKS CA 91362-3811

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21 GREGORY HOFFMAN
AT&T COMMUNICATIONS OF THE MOUNTAIN
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795 FOLSOM STREET, ROOM 2159
SAN FRANCISCO, CA 94107-1243

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23
24 BROOKS FIBER COMMUNICATIONS OF
TUCSON, INC.
201 SPEAR STREET 9TH FLOOR
SAN FRANCISCO CA 94105-

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ROCHESTER NY 14646-0000

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TAMPA, FL 33619-1311

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105 CARNEGIE CENTER
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REFLEX COMMUNICATIONS, INC.
1601 5TH AVENUE, STE. 710
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RHYTHM LINKS, INC.
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1 THE PHONE COMPANY/NETWORK SERVICES OF
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2 NEW HOPE PA 18938-0000
3 VERIZON SELECT SERVICES, INC.
6665 N MACARTHUR BLVD, HQK02D84
4 IRVING TX 75039-0000
5 OXO ARIZONA, INC.
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6 PHOENIX AZ 85034-
7 ALLIANCE GROUP SERVICES, INC.
1221 POST ROAD EAST
8 WESTPORT CT 06880-0000
9 ARCHTEL, INC.
1800 WEST PARK DRIVE SUITE 250
10 WESTBOROUGH MA 01581-0000
11 ERNEST COMMUNICATIONS, INC.
6475 JIMMY CARTER BLVD SUITE 300
12 NORCROSS GA 30071-0000
13 GLOBAL CROSSING TELECOMMUNICATIONS,
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14 ROCHESTER NY 14646-0000
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23 OPEX COMMUNICATIONS, INC.
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24 ELK GROVE VILLAGE IL 60007-0000
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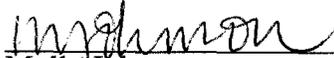
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