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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

Arizona Corporation Commission

DOCKETED

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APR 28 2004

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

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY *[Signature]*

DOCKET NO. T-04221A-03-0832

IN THE MATTER OF THE APPLICATION OF
COMPUTER NETWORK TECHNOLOGY
CORPORATION FOR A CERTIFICATE OF
CONVENIENCE AND NECESSITY TO PROVIDE
RESOLD LOCAL AND LONG DISTANCE AND
FACILITIES-BASED LOCAL EXCHANGE
SERVICES IN THE STATE OF ARIZONA AND
PETITION FOR COMPETITIVE
CLASSIFICATION OF PROPOSED SERVICES.

PROCEDURAL ORDER

BY THE COMMISSION:

On November 17, 2003, Computer Network Technology Corporation ("Applicant" or "CNTC") submitted to the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide resold local and long distance and facilities-based local exchange telecommunications services within the State of Arizona. The Application petitioned the Commission for determination that its proposed services should be classified as competitive.

On March 9, 2004, the Commission's Utilities Division Staff ("Staff") filed its Staff Report.

On March 11, 2004, a Procedural Order was issued setting this matter for hearing on April 29, 2004 and setting various procedural deadlines.

On April 28, 2004, CNTC filed a Notice of Appearance and Request for Continuance of Hearing, which states that publication of notice as ordered in the March 11, 2004 Procedural Order was not completed.

IT IS THEREFORE ORDERED that CNTC's Request for Continuance is hereby granted.

IT IS FURTHER ORDERED that the hearing on the above application and petition of Applicant shall commence on **June 2, 2004 at 1:30 p.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

1 IT IS FURTHER ORDERED that Applicant shall publish notice of its filing and the hearing,
2 as stated below, in a newspaper(s) of general circulation in every county in Arizona in which
3 Applicant desires to provide service by **May 10, 2004**, and shall file Affidavits of Publication with
4 the Commission no later than **May 28, 2004**.

5 **IN THE MATTER OF THE APPLICATION OF COMPUTER NETWORK**
6 **TECHNOLOGY CORPORATION FOR A CERTIFICATE OF CONVENIENCE AND**
7 **NECESSITY TO PROVIDE PRIVATE LINE DATA SERVICES, RESOLD LOCAL**
8 **AND LONG DISTANCE AND FACILITIES-BASED LOCAL EXCHANGE**
9 **SERVICES AND PETITION FOR COMPETITIVE CLASSIFICATION OF**
10 **PROPOSED SERVICES WITHIN THE STATE OF ARIZONA**
11 **Docket No. T-04221A-03-0832**

12 Computer Network Technology Corporation ("Applicant") has filed with the
13 Arizona Corporation Commission ("Commission") an application for a Certificate of
14 Convenience and Necessity ("Certificate") to provide competitive private line data
15 services, resold local and long distance and facilities-based local exchange
16 telecommunications services in the State of Arizona. Applicant will be required by
17 the Commission to provide this service under the rates and charges and terms and
18 conditions established by the Commission.

19 The application, report of the Commission's Utilities Division Staff, and any
20 written exceptions to the staff report prepared by the applicant are available for
21 inspection during regular business hours at the offices of the Commission located at
22 1200 West Washington Street, Phoenix, Arizona 85007, and at Applicant, [address].

23 Under appropriate circumstances, interested parties may intervene in the
24 proceedings and participate as a party. You may have the right to intervene in the
25 proceeding, or you may make a statement for the record. Intervention shall be in
26 accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed
27 on or before **May 19, 2004**. Persons desiring to intervene must file a written motion
28 to intervene with the Commission and send such motion to the Company or its counsel
and to all parties of record, and which at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of
any party upon whom service of documents is to be made if different than the
intervenor.

2. A short statement of the proposed intervenor's interest in the proceeding
(e.g. a customer of the company, a shareholder of the company, a competitor, etc.).

3. A statement certifying that a copy of the motion to intervene has been
mailed to the Company or its counsel and to all parties of record in the case.

A.A.C. R14-3-105 shall govern the granting of motions to intervene. The
granting of intervention, among other things, entitles a party to present sworn evidence
at the hearing and to cross-examine other witnesses. However, failure to intervene
will not preclude any interested person or entity from appearing at the hearing and
making a statement on their own behalf. The hearing is scheduled to commence on
June 2, 2004 at 1:30 p.m. at the Arizona Corporation Commission, 1200 West

1 Washington Street, Phoenix, Arizona 85007. Please check with the Commission for
any changes to the scheduled hearing date.

2 If you have any comments, mail them to:

3 The Arizona Corporation Commission
4 Attention Docket Control
re: Computer Network Technology Corporation
5 T-04221A-03-0832
6 1200 West Washington Street
Phoenix, Arizona 85007

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

9 The Commission does not discriminate on the basis of disability in admission
10 to its public meetings. Persons with a disability may request a reasonable
11 accommodations such as sign language interpreter, as well as request this document in
an alternative format, by contacting Yvonne McFarlin, ADA Coordinator, voice phone
12 number 602-542-3931. Requests should be made as early as possible to allow time to
arrange the accommodation.

13 IT IS FURTHER ORDERED intervention shall be in accordance with A.A.C. R14-3-105,
except that all motions to intervene must be filed on or before **May 19, 2004**.

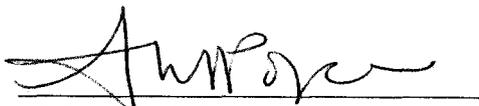
14 IT IS FURTHER ORDERED that any objections to motions to intervene must be filed on or
15 before **May 26, 2004**.

16 IT IS FURTHER ORDERED that the time clock provisions for processing CNTC's
17 application shall be suspended from March 11, 2004 through April 28, 2004.

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

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

22
23 DATED this 25th day of April, 2004.

24
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26 
27 AMANDA POPE
28 ADMINISTRATIVE LAW JUDGE

1 Copies of the foregoing mailed/delivered
this 28 day of April, 2004 to:

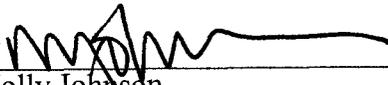
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9 Legal Division
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10 1200 West Washington Street
Phoenix, Arizona 85007

11 Ernest Johnson, Director
12 Utilities Division
ARIZONA CORPORATION COMMISSION
13 1200 West Washington Street
Phoenix, Arizona 85007

14 ARIZONA REPORTING SERVICE, INC.
15 2627 N. Third Street, Suite Three
Phoenix, Arizona 85004-1104

16
17 By: 
18 Molly Johnson
19 Secretary to Amanda Pope
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27
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