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**GREENBERG TRAUERIG, LLP**  
ATTORNEYS AT LAW  
SUITE 700  
2375 EAST CAMELBACK ROAD  
PHOENIX, ARIZONA 85016  
(602) 445-8000

**RECEIVED**

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**AZ CORP COMMISSION  
DOCUMENT CONTROL**

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Lynda R. Vescio, SBN 022074

Arizona Corporation Commission  
**DOCKETED**

MAY 27 2003

CORPORATION COMMISSION

STATE OF ARIZONA

DOCKETED BY *Chr*

MARC SPITZER  
CHAIRMAN  
MIKE GLEASON  
COMMISSIONER  
JEFF HATCH-MILLER  
COMMISSIONER  
JIM IRVIN  
COMMISSIONER  
WILLIAM A. MUNDELL  
COMMISSIONER

IN THE MATTER OF THE GENERIC  
INVESTIGATION INTO U S WEST  
COMMUNICATIONS, INC.'S NKA QWEST  
CORPORATION COMPLIANCE WITH  
CERTAIN WHOLESALE PRICING  
REQUIREMENTS AND RESALE DISCOUNTS

**DOCKET NO. T-00000A-00-0194**

and

ARIZONA CORPORATION COMMISSION  
Complainant,

**DOCKET NO. T-01051B-02-0871**

and

vs.  
QWEST CORPORATION,  
Respondent

MOUNTAIN TELECOMMUNICATIONS, INC.  
Complainant,

**DOCKET NO. T-01051B-03-0092**

vs.  
QWEST CORPORATION,  
Respondent

**MOTION AND CONSENT OF  
LOCAL COUNSEL FOR PRO  
HAC VICE ADMISSION OF  
MITCHELL F. BRECHER**

1 The above-named attorney, pursuant to Rule 33(c) and (d) Rules of the Supreme  
2 Court, moves the court to admit Mitchell F. Brecher as counsel *pro hac vice* in this action.

3 Pursuant to Rule 33(d) Rules of the Supreme Court, the following exhibits are  
4 attached hereto:

- 5 1. the original Verified Application;
- 6 2. copies of the original Certificates of Good Standing<sup>1</sup>; and
- 7 3. the State Bar of Arizona Notice of Receipt.

8 The filing fee as required by Rule 33(d) has been submitted to the State Bar of  
9 Arizona. Lynda R. Vescio hereby agrees to serve as designated local counsel for the  
10 subject case. A proposed order admitting Mitchell F. Brecher accompanies this motion.

11  
12 DATED this 27<sup>th</sup> day of May, 2003.

13  
14 GREENBERG TRAURIG

15  
16 By: Lynda R. Vescio  
17 Lynda R. Vescio  
18 Attorneys for Complainant  
19 Mountain Telecommunications, Inc.  
20  
21  
22  
23

24 <sup>1</sup> As explained in more detail in the accompanying letter of Lynda R. Vescio, Esq., we  
25 request the Corporation Commission's indulgence in accepting copies at this time. The  
26 record will be supplemented with the original certificates of good standing, which are  
being sent by courier directly to the ACC.

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing Motion and Consent of Local Counsel for Pro Hac Vice Admission of Mitchell F. Brecher on all parties of record in these proceedings by mailing a copy thereof, properly addressed with first class postage prepaid to the following:

Timothy Berg  
FENNEMORE CRAIG  
3003 North Central Avenue  
Suite 2600  
Phoenix, AZ 85012

QWEST Corporation  
1801 California Street  
Suite 5100  
Denver, CO 80202

Richard S. Wolters  
Michel Singer Nelson  
AT&T  
1875 Lawrence Street  
Room 1575  
Denver, CO 80202-1847

Michael W. Patten  
ROSHKA, HEYMAN & DEWULF  
One Arizona Center  
400 East Van Buren Street  
Suite 800  
Phoenix, AZ 85004  
Attorneys for Cox Arizona Telecom, Inc.,  
e-spire™ Communications, and McLeodUSA Telecommunications Services, Inc.

Michael Grant  
GALLAGHER & KENNEDY  
2575 East Camelback Road  
Phoenix, AZ 85016-9225  
Attorneys for Electric Lightwave, Inc., COVAD  
Communications, Inc. and New Edge Networks

Thomas H. Campbell  
LEWIS & ROCA  
40 North Central Avenue  
Phoenix, AZ 85007  
Attorneys for Rhythms Links, Inc. and Time Warner Telecom of Arizona, LLC

LAW OFFICES  
**GREENBERG TRAURIG**  
2375 EAST CAMELBACK ROAD, SUITE 700  
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(602) 445-8000

- 1 Thomas F. Dixon, Jr.  
MCI WorldCom  
707 17<sup>th</sup> Street
- 2 Denver, CO 80202
- 3 Darren S. Weingard  
Stephen H. Kukta
- 4 SPRINT COMMUNICATIONS CO.  
1850 Gateway Drive
- 5 7<sup>th</sup> Floor  
San Mateo, CA 94404-2467
- 6 Scott S. Wakefield  
RUCO
- 7 2828 North Central Avenue  
Suite 1200
- 8 Phoenix, AZ 85004
- 9 Raymond S. Heyman  
Randall H. Warner
- 10 ROSHKA, HEYMAN & DeWULF  
400 East Van Buren Street
- 11 Suite 800  
Phoenix, AZ 85004
- 12 Jeffrey W. Crockett  
Jeffrey B. Guldner
- 13 SNELL & WILMER  
One Arizona Center
- 14 Phoenix, AZ 85004-2202
- 15 Mary E. Steele  
DAVIS WRIGHT TREMAINE LLP
- 16 2600 Century Square  
1501 Fourth Avenue
- 17 Seattle, WA 98101-1688  
Attorneys for AT&T Communications of the Mountain States, Inc.
- 18 Marti Allbright  
MPOWER COMMUNICATIONS
- 19 5711 South Benton Circle  
Littleton, CO 80123
- 20 Kevin Chapman  
Director-Regulatory Relations
- 21 5800 Northwest Parkway  
Suite 125, Room I-S-20
- 22 San Antonio, TX 78249
- 23
- 24
- 25
- 26

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(602) 445-8000

1 Joyce B. Hundley  
2 United States Department of Justice  
3 Antitrust Division  
4 City Center Building  
5 1401 H Street, NW  
6 Suite 8000  
7 Washington, D.C. 20530

8 Lyndon J. Godfrey  
9 AT&T  
10 795 Folsom Street  
11 Suite 2104  
12 San Francisco, CA 94107

13 Christopher Kempley, Chief Counsel  
14 LEGAL DIVISION  
15 1200 West Washington Street  
16 Phoenix, AZ 85007

17 Ernest G. Johnson, Director  
18 UTILITIES DIVISION  
19 1200 West Washington Street  
20 Phoenix, AZ 85007

21 By:   
22 \_\_\_\_\_  
23  
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26



For Official Use Only
App# <u>1000383</u>
Pro Hac ID # <u>797093</u>

**NONRESIDENT ATTORNEY  
PRO HAC VICE APPLICATION**

Name: Mitchell F. Brecher  
 Residence Address: 31 Hollyberry Court, Rockville, MD 20852  
 Office Address: 800 Connecticut Avenue, NW -- Suite 500 -- Washington, D.C. 20006  
 Telephone: (202) 331-3152 Fax: (202) 261-0152

Title of cause or case where applicant seeks to appear: Qwest Corporation  
 Docket Number: T-00000A-00-0194, T-01051B-02-0871, and T-01051B-03-0092  
 Court, Board, or Administrative Agency: Arizona Corporation Commission  
 Party on whose behalf applicant seeks to appear: Mountain Telecommunications, Inc.

Courts to Which Applicant Has Been Admitted:	Date of Admission:	Bar Number:
<u>Court of Appeals of Maryland</u>	<u>December 1973</u>	_____
<u>Court of Appeals of the District of Columbia</u>	<u>May 1975</u>	<u>210781</u>
<u>Supreme Court of the United States</u>	<u>May 1978</u>	_____
<u>U.S. Court of Appeals, District of Columbia Circuit</u>	<u>March 1982</u>	_____
<u>U.S. District Court for the District of Columbia</u>	<u>August 1981</u>	_____

Applicant is a member in good standing in such courts.

Applicant is not currently disbarred or suspended in any court.

Applicant  is /  is not (**select one**) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

Jurisdiction(s) Where Discipline Matter Pending:	Nature of Matter Under Investigation:	Name / Address of Disciplinary Authority:
_____	_____	_____
_____	_____	_____
_____	_____	_____

Applicant  has /  has not (**select one**) been disciplined by any court, agency or organization authorized to discipline attorneys at law.

In the preceding three (3) years, applicant has filed applications to appear as counsel under Rule 33, Arizona Rules of Supreme Court in the following:

Title of Matter:	Docket #:	Court or Agency:	Application Granted? (Y/N)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Name of local counsel: Lynda R. Vescio  
State Bar of Arizona Number: 022074  
Address: 2375 East Camelback Road, Phoenix, AZ 85016

Telephone : (602) 445-8000 Fax: (602) 445-8100

Name(s) of each party in this cause and name and address of all counsel of record:

Party:	Counsel of Record:	Address:
<u>Qwest</u>	<u>Timothy Berg</u>	<u>3003 North Central Avenue, Phoenix, AZ 85012</u>
<u>AT&amp;T</u>	<u>Richard S. Wolters</u>	<u>1875 Lawrence Street, Denver, CO 80202-1847</u>
<u>ACC Staff</u>	<u>Maureen Scott</u>	<u>1200 West Washington, Phoenix, AZ 8007-2996</u>
<u>Time Warner</u>	<u>Thomas H. Campbell</u>	<u>40 North Central Avenue, Phoenix, AZ 85007</u>

Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$348.50.

This case or cause  is /  is not (**select one**) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, applicant certifies the following:

Applicant certifies the following:

1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Rule 46(b) Rules of the Supreme Court.
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

#### Verification

~~STATE OF~~ Washington )  
~~County of~~ District of Columbia) ss.

I, the Applicant, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

Dated: 5/20/03

Applicant's signature

SUBSCRIBED AND SWORN TO before me this 20<sup>th</sup> day of May, 2003, by  
Mitchell Brecher  
Name of Applicant

Dawn J. Clark  
Notary Public

DAWN J. CLARK  
NOTARY PUBLIC DISTRICT OF COLUMBIA  
My Commission Expires: 5/31/2004



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202/879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

**MITCHELL F. BRECHER**

was on the 5th day of March, 1975,  
duly qualified and admitted as an attorney and counselor and  
entitled to practice before this Court and is, on the date  
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have  
hereunto subscribed my name and  
affixed the seal of this Court  
at the City of Washington, D.C.  
this 14th day of  
March, 2003.

GARLAND PINKSTON, JR., CLERK

By: *Ruby Al*  
Deputy Clerk

**Court of Appeals  
of Maryland**  
Annapolis, MD



**CERTIFICATE OF GOOD STANDING**

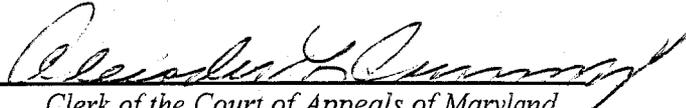
STATE OF MARYLAND, ss:

I, *Alexander L. Cummings*, Clerk of the Court of Appeals of Maryland,  
do hereby certify that on the 13th day of December, 1973,

**MITCHELL FREDERICK BRECHER**

*having first taken and subscribed the oath prescribed by the Constitution and  
Laws of this State, was admitted as an attorney of said Court, is now in good  
standing, and as such is entitled to practice law in any of the Courts of said  
State, subject to the Rules of Court.*

**In Testimony Whereof**, I have hereunto set  
my hand as Clerk, and affixed the Seal of the  
Court of Appeals of Maryland, this 14th  
day of March, 2003.

  
Clerk of the Court of Appeals of Maryland

1 **Arizona Corporation Commission**

2  
3 Qwest Corporation, )  
4 Plaintiff, )  
5 v. )  
6 )  
7 Defendant. )

CASE #T00000A 00 0194  
SBA App # 1000383

**NOTICE OF RECEIPT OF COMPLETE APPLICATION**

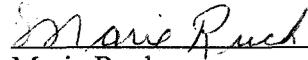
8  
9 NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has received the verified application and fee from Mitchell F. Brecher.

10 In addition to this application, applicant has made the following applications to appear pro hac vice, pursuant to Rule33 (d), within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?	
_____	_____	_____	<input type="checkbox"/> yes	<input type="checkbox"/> no
_____	_____	_____	<input type="checkbox"/> yes	<input type="checkbox"/> no
_____	_____	_____	<input type="checkbox"/> yes	<input type="checkbox"/> no
_____	_____	_____	<input type="checkbox"/> yes	<input type="checkbox"/> no

17 Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of Good Standing are attached hereto.

18  
19 DATED this 23rd day of May, 2003

20   
21 Marie Ruch  
22 Membership Records  
State Bar of Arizona

23 Original Mailed on  
24 This 23rd day of May, 2003 to:  
25 Ms. Lynda R. Vescio  
2375 E. Camelback Rd  
Phoenix, AZ 85016-0001