

ORIGINAL



0000007512

RECEIVED

2003 NOV 21 P 3:09

AZ CORP COMMISSION  
DOCUMENT CONTROL

**BEFORE THE ARIZONA CORPORATION COMMISSION**

MARC SPITZER  
Chairman

WILLIAM A. MUNDELL  
Commissioner

JEFF HATCH-MILLER  
Commissioner

MIKE GLEASON  
Commissioner

KRISTIN K. MAYES  
Commissioner

Arizona Corporation Commission

**DOCKETED**

NOV 21 2003

DOCKETED BY

In the Matter of the Complaint  
Of Eschelon Telecom of Arizona, Inc. )  
Against Qwest Corporation )

Docket No: T-01051B-03-0668

**MOTION AND CONSENT OF  
LOCAL COUNSEL FOR PRO HAC VICE  
ADMISSION OF DENNIS D. AHLERS**

Thomas H. Campbell, pursuant to Rule 33(c) and (d) Rules of the Supreme Court, moves the Commission Hearing Division to admit Dennis D. Ahlers as counsel pro hac vice in this action.

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

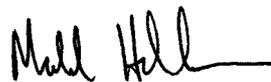
1. the original Verified Application;
2. the original Certificate of Good Standing; and
3. the State Bar of Arizona Notice of Receipt of Complete Application.

1 The filing fee as required by Rule 33(d) has been submitted to the State Bar of  
2 Arizona. Thomas H. Campbell hereby agrees to serve as designated local counsel for the  
3 subject case.

4 A proposed order admitting Dennis D. Ahlers accompanies this motion.

5 RESPECTFULLY SUBMITTED this 21<sup>st</sup> day of November, 2003.

6 LEWIS AND ROCA

7  
8 

9 Thomas H. Campbell  
10 Michael T. Hallam  
11 40 N. Central Avenue  
12 Phoenix, Arizona 85004

13 Attorneys for Eschelon Telecom of Arizona, Inc.

14 ORIGINAL and thirteen (13) copies  
15 of the foregoing filed this 21<sup>st</sup> day of  
16 November, 2003, with:

17 The Arizona Corporation Commission  
18 Docket Control – Utilities Division  
19 1200 W. Washington Street  
20 Phoenix, Arizona 85007

21 COPY of the foregoing hand-delivered  
22 this 21<sup>st</sup> day of November, 2003, to:

23 Chris Kempley, Chief Counsel  
24 Legal Division  
25 Arizona Corporation Commission  
26 1200 W. Washington Street  
Phoenix, Arizona 85007

Jane Rodda, Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

Ernest Johnson, Director  
Utilities Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

LEWIS  
AND  
ROCA  
LLP  
LAWYERS

1 COPY of the foregoing mailed this  
21<sup>st</sup> day of November, 2003, to:

2 Timothy Berg  
3 Theresa Dwyer  
4 Al Arpad  
5 Fennemore Craig  
3003 N. Central Avenue  
6 Suite 2600  
Phoenix, Arizona 85012

7 Todd L. Lundy  
8 Qwest Corporation  
1801 California Street  
9 Suite 4900  
Denver, California 80202

10  
11  
12   
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26



For Official Use Only
App# <u>1000727</u>
Pro Hac ID # <u>P150007</u>

**NONRESIDENT ATTORNEY  
PRO HAC VICE APPLICATION**

Name: Dennis D. Ahlers  
 Residence Address: 2411 East 114th Street, Burnsville, MN 55337  
 Office Address: 730 Second Avenue South, Suite 1200, Minneapolis, MN 55402  
 Telephone: 612-436-6249 Fax: 612-436-6816

Title of cause or case where applicant seeks to appear: In the Matter of the Complaint of Eschelon Telecom of Arizona, Inc. Against Qwest Corporation  
 Docket Number: T-01051B-03-0668  
 Court, Board, or Administrative Agency: Arizona Corporation Commission  
 Party on whose behalf applicant seeks to appear: Eschelon Telecom, Inc.

Courts to Which Applicant Has Been Admitted:	Date of Admission:	Bar Number:
<u>Minnesota Supreme Court</u>	<u>02/10/1984</u>	<u>0154386</u>
<u>U.S. District Court, MN</u>	<u>01/09/1989</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: Thomas H. Counsel  
State Bar of Arizona Number: 006312  
Address: 40 North Central Avenue, Phoenix, AZ 85004-4429

Telephone : 602-262-5723 Fax: 602-634-3841

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

Party:	Counsel of Record:	Address:
<u>T-01051B-03-0668</u>	<u>See Attached List</u>	<u>See Attached List</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 MINNESOTA  
County of HENNEPIN) ss.

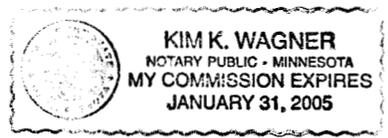
I, the Applicant, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

Dated: 11/5/03

Applicant's signature Dennis W. Ahlers

SUBSCRIBED AND SWORN TO before me this 5th day of November, 2003, by  
Dennis Ahlers  
Name of Applicant

Kim K. Wagner  
Notary Public



**NOTE – As the application requires original signatures of the applicant and notary, this application cannot be filed electronically. Please submit all documents and fees by mail to:**

State Bar of Arizona  
Pro Hac Vice  
111 West Monroe, Suite 1800  
Phoenix, AZ 85003

For further information, please contact our Membership Records Department at (602) 340-7239

STATE OF MINNESOTA  
IN SUPREME COURT

*Certificate of Good Standing*

This is to certify that the following attorney is in good standing.

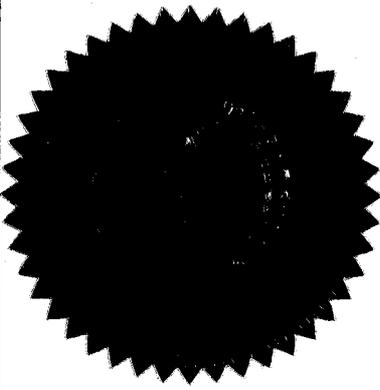
DENNIS D AHLERS

was duly admitted to practice as an attorney and counselor at law in all the courts of this state on

*February 10, 1984*

Given under my hand and seal of this court on

*October 14, 2003*



*Frederick K. Gritner*

Frederick K. Gritner  
Clerk of Appellate Courts

1 **Arizona Corporation Commission**

2  
3 IN THE MATTER OF THE )  
4 COMPLAINT OF ESCHELON )  
5 TELECOM OF ARIZONA INC. )  
6 AGAINST QWEST CORP. )  
7 )  
8 \_\_\_\_\_ )

CASE # T-01051B-03-0668

SBA App # 1000727

**NOTICE OF RECEIPT OF  
COMPLETE APPLICATION**

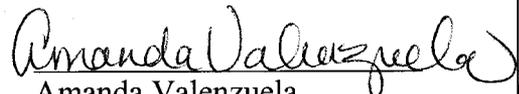
9 NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has  
10 received the verified application and fee from Dennis D. Ahlers.

11 In addition to this application, applicant has made the following applications to appear  
12 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

13  
14  
15  
16  
17 Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of  
18 Good Standing are attached hereto.

19 DATED this 18th day of November, 2003

20   
21 Amanda Valenzuela  
22 Resource Center  
23 State Bar of Arizona

24 Original Mailed on  
25 November 18th, of 2003 to:  
Thomas H. Counsel  
40 N. Central Ave.  
Phoenix, AZ 85004-4429

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**BEFORE THE ARIZONA CORPORATION COMMISSION**

MARC SPITZER  
Chairman

WILLIAM A. MUNDELL  
Commissioner

JEFF HATCH-MILLER  
Commissioner

MIKE GLEASON  
Commissioner

KRISTIN K. MAYES  
Commissioner

In the Matter of the Complaint )  
Of Eschelon Telecom of Arizona, Inc. ) Docket No: T-01051B-03-0668  
Against Qwest Corporation )

**ORDER FOR PRO HAC VICE**  
**ADMISSION OF DENNIS D. AHLERS**

Based upon the motion for admission Pro Hac Vice of Dennis D. Ahlers and the consent to appear as local counsel by Thomas H. Campbell,

**IT IS HEREBY ORDERED** that Dennis D. Ahlers be admitted Pro Hac Vice as counsel for Eschelon Telecom of Arizona, Inc. in Docket No: T-01051B-03-0668 in the above-entitled matter.

DATED this \_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
Jane Rodda  
Administrative Law Judge