

ORIGINAL



0000007983

RECEIVED

2003 SEP 17 P 3:14

BEFORE THE ARIZONA CORPORATION COMMISSION

AZ CORP COMMISSION
DOCUMENT CONTROL

MARC SPITZER,
Chairman

JIM IRVIN,
Commissioner

WILLIAM MUNDELL,
Commissioner

JEFF HATCH-MILLER,
Commissioner

MIKE GLEASON,
Commissioner

Arizona Corporation Commission
DOCKETED

SEP 17 2003

DOCKETED BY *CAC*

UTILITIES DIVISION STAFF,
Complainant,

Docket No. T-03889A-02-0796
T-04125A-02-0796

vs.

LIVEWIRENET OF ARIZONA, LLC; THE
PHONE COMPANY MANAGEMENT
GROUP, LLC; THE PHONE COMPANY
OF ARIZONA JOINT VENTURE d/b/a
THE PHONE COMPANY OF ARIZONA;
ON SYSTEMS TECHNOLOGY, LLC, and
its principles, TIM WETHERALD, FRANK
TRICAMO and DAVID STAFFORD; THE
PHONE COMPANY OF ARIZONA, LLP
and its members,

**MOTION TO WITHDRAW AS
COUNSEL FOR DMJ
COMMUNICATIONS**

Respondents.

Docket No. T-04125A-02-0577

IN THE MATTER OF THE PHONE
COMPANY OF ARIZONA JOINT
VENTURE d/b/a THE PHONE COMPANY
OF ARIZONA'S APPLICATION FOR
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE INTRASTATE
TELECOMMUNICATIONS SERVICE AS
A LOCAL AND LONG DISTANCE
RESELLER AND ALTERNATIVE
OPERATOR SERVICE.

1
2 IN THE MATTER OF THE APPLICATION)
3 OF THE PHONE COMPANY)
4 MANAGEMENT GROUP, LLC f/k/a)
5 LIVEWIRENET OF ARIZONA, LLC TO)
6 DISCONTINUE LOCAL EXCHANGE)
7 SERVICE.)

Docket No. T-03889A-02-0578

8
9 IN THE MATTER OF THE APPLICATION)
10 OF THE PHONE COMPANY)
11 MANAGEMENT GROUP, LLC FOR)
12 CANCELLATION OF FACILITIES)
13 BASED AND RESOLD LOCAL)
14 EXCHANGE SERVICES.)

Docket No. T-03889A-03-0152

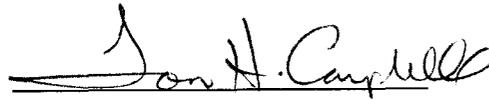
15
16 IN THE MATTER OF THE APPLICATION)
17 OF THE PHONE COMPANY)
18 MANAGEMENT GROUP, LLC d/b/a THE)
19 PHONE COMPANY FOR THE)
20 CANCELLATION OF ITS CERTIFICATE)
21 OF CONVENIENCE AND NECESSITY.)

Docket No. T-03889A-03-0202

22
23
24
25
26
Lewis and Roca LLP respectfully requests that it be allowed to withdraw as
counsel for DMJ Communications (“DMJ”). Our client has informed us that its Arizona
customers have all been transferred to other providers, primarily Qwest. DMJ no longer
has the resources to retain counsel in this proceeding and, consequently, terminated Lewis
and Roca’s representation. An Affidavit signed by Ms. Joyce Howard, Executive Vice
President of Operations for DMJ Communications in support of this Motion is attached.

1 RESPECTFULLY SUBMITTED this 17th day of September, 2003.

2 LEWIS AND ROCA LLP

3
4 

5 Thomas H. Campbell
6 Michael T. Hallam
7 40 N. Central Avenue
8 Phoenix, Arizona 85004

9 ORIGINAL and twenty-one (21) copies
10 of the foregoing filed this 17th day of September,
2003, with:

11 Arizona Corporation Commission
12 Utilities Division – Docket Control
13 1200 W. Washington Street
Phoenix, Arizona 85007

14 COPY of the foregoing hand-delivered
15 this 17th day of September, 2003, to:

16 Philip J. Dion, III
17 Hearing Division
18 Arizona Corporation Commission
19 1200 W. Washington Street
Phoenix, Arizona 85007

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

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

1 COPY of the foregoing mailed this
2 17th day of September, 2003, to:

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

9 Jeffrey W. Crockett
10 Snell & Wilmer, LLP
11 One Arizona Center
12 400 E. Van Buren Street
13 Phoenix, Arizona 85004

14 Marty Harper
15 Shughart Thomson Kilroy Goodwin Raup
16 3636 N. Central Ave., Suite 1200
17 Phoenix, Arizona 85012

18 David Stafford Johnson
19 740 Gilpin Street
20 Denver, Colorado 80218

21

22

23

24

25

26

27

28

29

30

31

Betty J. Griffin

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

JIM IRVIN,
Commissioner

WILLIAM MUNDELL,
Commissioner

JEFF HATCH-MILLER,
Commissioner

MIKE GLEASON,
Commissioner

UTILITIES DIVISION STAFF,
Complainant,

vs.

**LIVEWIRENET OF ARIZONA, LLC; THE
PHONE COMPANY MANAGEMENT
GROUP, LLC; THE PHONE COMPANY
OF ARIZONA JOINT VENTURE d/b/a
THE PHONE COMPANY OF ARIZONA;
ON SYSTEMS TECHNOLOGY, LLC, and
its principles, TIM WETHERALD, FRANK
TRICAMO and DAVID STAFFORD; THE
PHONE COMPANY OF ARIZONA, LLP
and its members,**

Respondents.

Docket No. T-03889A-02-0796
T-04125A-02-0796

AFFIDAVIT

**IN THEMATTER OF THE PHONE
COMPANY OF ARIZONA JOINT
VENTURE d/b/a THE PHONE COMPANY
OF ARIZONA'S APPLICATION FOR
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE INTRASTATE
TELECOMMUNICATIONS SERVICE AS
A LOCAL AND LONG DISTANCE
RESELLER AND ALTERNATIVE
OPERATOR SERVICE.**

Docket No. T-04125A-02-0577

1
2 IN THE MATTER OF THE APPLICATION
3 OF THE PHONE COMPANY
4 MANAGEMENT GROUP, LLC f/k/a
5 LIVEWIRENET OF ARIZONA, LLC TO
6 DISCONTINUE LOCAL EXCHANGE
7 SERVICE.

Docket No. T-03889A-02-0578

8
9 IN THE MATTER OF THE APPLICATION
10 OF THE PHONE COMPANY
11 MANAGEMENT GROUP, LLC FOR
12 CANCELLATION OF FACILITIES
13 BASED AND RESOLD LOCAL
14 EXCHANGE SERVICES.

Docket No. T-03889A-03-0152

15
16 IN THE MATTER OF THE APPLICATION
17 OF THE PHONE COMPANY
18 MANAGEMENT GROUP, LLC d/b/a THE
19 PHONE COMPANY FOR THE
20 CANCELLATION OF ITS CERTIFICATE
21 OF CONVENIENCE AND NECESSITY.

Docket No. T-03889A-03-0202

22 **AFFIDAVIT**

23 STATE of Texas:

:

ss:

24 County of

:

25 Joyce Howard, being duly sworn, deposes and says:

26 1. I am the Executive Vice President of Operations of DMJ Communications,
Inc. ("DMJ").

2. DMJ has no customers in Arizona.

