



0000008540



Mary B. Tribby  
Attorney

Room 1575  
1875 Lawrence Street  
Denver, CO 80202  
303 298-6508

RECEIVED  
AZ CORP COMMISSION

MAY 1 4 40 PM '98

DOCKETED

May 1, 1998

Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007

RE: Docket No. T-000000B-97-0238

To The Commission:

Attached is AT&T Communications of the Mountain States, Inc.'s Application for Motion For Supplemental Procedural Schedule.

Sincerely,

*Mary B. Tribby*  
Mary B. Tribby *TH*

Attachment

cc: Certificate of Service

Arizona Corporation Commission  
**DOCKETED**

MAY 1 1998

DOCKETED BY *BS*

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  
27  
28  
29  
30  
31  
32

BEFORE THE ARIZONA CORPORATION COMMISSION

JIM IRVIN  
Chairman  
RENZ D. JENNINGS  
Commissioner  
CARL J. KUNASEK  
Commissioner

In the Matter of the Investigation Into )  
U S WEST Communications, Inc.'s ) DOCKET NO. T-00000B-97-0238  
Compliance With §271 of the )  
Telecommunications Act of 1996 )  
\_\_\_\_\_ )

**MOTION FOR SUPPLEMENTAL PROCEDURAL SCHEDULE**

AT&T Communications of the Mountain States, Inc., Electric Lightwave, Inc.,  
Brooks Fiber Communications of Tucson, Inc., WorldCom, Inc., Sprint Communications  
Company L.P., Teleport Communications Group, Inc., Cox Communications, Inc.,  
American Communications Services, Inc., MCImetro Access Transmission Services, Inc.,  
McLeod USA, by and through their counsel, hereby request a Supplemental Procedural  
Schedule adding to the procedural schedule previously set forth in this docket in Decision  
No. 60218 on May 27, 1997.

The undersigned parties believe that a Supplemental Procedural Schedule is  
necessary in this case for the following reasons: (1) Decision No. 60218 provides only  
for written comments by interested parties and reply comments by U S WEST following  
U S WEST's submission of evidence indicating compliance with any of the 14 checklist  
items or public interest and affiliate requirements in 47 U.S.C. §271 and §272; (2) no  
further procedure was set forth in Decision No. 60218 for analyzing U S WEST's

1 compliance with the checklist items such as for discovery, hearings, briefing, etc. In  
2 addition, no procedure was set forth for how decisions would be rendered on the piece  
3 meal checklist filings; and (3) Arizona has set up a unique procedure in allowing  
4 U S WEST to file evidence of compliance with checklist items on a piece meal basis.  
5 Given this process, the parties recognize that it could be months or even years before  
6 U S WEST completes its §271 application in Arizona. In order to provide all parties,  
7 including U S WEST, with some certainty about how the procedure will work, the  
8 undersigned parties believe that a written procedural schedule is critical for planning  
9 purposes in this time of limited resource and witness availability.

10 For these reasons, the undersigned parties propose, and request that the  
11 Commission adopt, the following supplemental procedure:

- 12 1. As set forth in Docket No. U-0000-97-238, Decision No. 60218 issued  
13 on May 27, 1997, all interested parties who have intervened or who wish  
14 to intervene in this docket after particular checklist items have been  
15 filed, will file comments within 30 business days of U S WEST's filing.  
16
- 17 2. As also previously set forth in Decision No. 60218, U S WEST will  
18 reply to the intervenors' comments within 15 business days.  
19
- 20 3. Discovery will be allowed between and among all parties, including all  
21 intervenors and U S WEST, beginning with U S WEST's filing as made  
22 on April 13, 1998 and continuing until U S WEST's application on all  
23 checklist items, as described in (4), has been finally approved or rejected  
24 by the Commission. Discovery will be answered by the party upon  
25 which it is served within 7 days of receipt of the discovery.  
26
- 27 4. As provided in Decision No. 60218, U S WEST will file with the  
28 Commission at least 90 days prior to making its FCC filing, the full and  
29 complete application which U S WEST intends to file at the FCC,  
30 including all information responsive to Attachments A and B to  
31 Decision No. 60218.  
32
- 33 5. Once U S WEST has completed all of its filings described in (4) with  
34 respect to all 47 U.S.C. §271 and 272 checklist items, including the

1 public interest requirement in section 271(d)(3)(C) and the information  
2 responsive to Attachments A and B to Decision No. 60218, a hearing  
3 will be held to determine whether U S WEST has fully complied with all  
4 of the above requirements such that interlata relief should be allowed.

5  
6 6. Following the hearing discussed in (5) above, and any post-hearing  
7 briefing which the Hearing Division deems appropriate, the Hearing  
8 Division will make a recommended decision to the Commission  
9 regarding whether U S WEST has satisfied each and every one of the  
10 requirements in sections 271 and 272 as necessary for interLATA relief.

11  
12 7. Although as provided in Decision No. 60218, the Commission and its  
13 staff may investigate U S WEST's compliance with each checklist item  
14 as it is filed and commented on, and any interested party may file  
15 information with the Commission at any time regarding checklist items  
16 and telecommunications market conditions in Arizona, a final  
17 determination regarding U S WEST's compliance with any section 271  
18 or 272 requirement will not be made until U S WEST has completed its  
19 filings with respect to the requirements in their totality as described in  
20 (4). This process will insure that the recommendation which the  
21 Commission makes to the FCC regarding U S WEST's interLATA relief  
22 is current and based on the latest and best information available to it.<sup>1</sup>  
23 To facilitate this goal, U S WEST will be required, at the time it makes  
24 its filing discussed in (4) above, to update its filing with respect to each  
25 checklist item if circumstances affecting compliance with that item have  
26 changed or been modified since U S WEST's initial compliance filing.  
27 Interested parties will be allowed to respond to the 90 day filing  
28 discussed in (4) above and any updates to previous filings, within 30  
29 days.

30 For all of the reasons stated above, the undersigned parties request that the  
31  
32 Commission adopt as a formal Supplemental Procedural Schedule the proposal set  
33 forth above.

---

<sup>1</sup> For example, while U S WEST is currently required to support Interim Number Portability , Long Term Number Portability will be required in the Phoenix MSA later this year. Compliance with that changing requirement must be monitored and evaluated by the Commission in determining checklist compliance at any particular point in time.

Respectfully submitted,

By: Mary B. Tribby DP  
Mary B. Tribby  
AT&T Communications of the  
Mountain States, Inc.  
1875 Lawrence St., Rm. 1575  
Denver, CO 80202  
(303) 298-6508

Michael M. Grant  
Electric Lightwave, Inc.  
2600 North Central Ave.  
Phoenix, AZ 85004-3020  
(602) 530-8291

Thomas L. Mumaw  
Snell & Wilmer, L.L.P.  
Brooks Fiber Communications of Tucson,  
Inc.  
One Arizona Center  
Phoenix, AZ 85004-0001  
(602) 382-6396

Donald A. Low  
Sprint Communications Company L.P.  
8140 Ward Parkway 5E  
Kansas City, MO 64114  
(913) 624-6865

Kath Thomas  
WorldCom, Inc. and Brooks Fiber  
1600 South Amphlett Blvd., #330  
San Mateo, CA 94402  
(650) 286-4288

Deborah S. Waldbaum  
Teleport Communications Group, Inc.  
201 North Civic Center Drive, Suite 210  
Walnut Creek, CA 94596  
(925) 949-0646

Richard Smith  
Cox Communications, Inc.  
Cox California Telcom, Inc.  
Two Jack London Square  
Oakland, CA 94067  
(510) 923-6220

Lex J. Smith  
Michael W Pattern  
Brown & Bain, P.A.  
ACSI, Cox and TCG  
2901 North Central Ave.  
P.O. Box 400  
Phoenix, AZ 85001-0400  
(602) 351-8345

Thomas H. Campbell  
Lewis and Roca  
MCI Telecommunications and MCI metro  
Access  
40 North Central Ave.  
Phoenix, AZ 85004  
(602) 262-5311

Bill Haas  
Richard Lipman  
McLeod USA  
6400 C Street SW  
Cedar Rapids, IA 54206-3177  
(319) 298-7295

## CERTIFICATE OF SERVICE

I hereby certify that the original and 10 copies of the MOTION FOR PROCEDURAL SCHEDULE regarding Docket No. T-00000B-97-0238, were hand delivered on this 1<sup>st</sup> day of May, 1998, to:

Arizona Corporation Commission  
Docket Control – Utilities Division  
1200 West Washington Street  
Phoenix, AZ 85007

and that a copy of the foregoing was hand delivered this 1<sup>st</sup> day of May, 1998 to:

Christopher Kempley  
Arizona Corporation Commission  
Legal Division  
1200 West Washington  
Phoenix, AZ 85007

Ray Williamson, Acting Director  
Arizona Corporation Commission  
Utilities Division  
1200 West Washington  
Phoenix, AZ 85007

and a true and correct copy was sent, via United States Mail, postage prepaid, on this 1<sup>st</sup> day of May, 1998, to:

Thomas M. Dethlefs, Esq.  
U S WEST Communications, Inc.  
1801 California Street, #5100  
Denver, CO 80202

Timothy Berg  
Fennemore Craig, P.C.  
3003 North Central Ave., #2600  
Phoenix, AZ 85012

Maureen Arnold  
U S WEST Communications, Inc.  
3033 North 3<sup>rd</sup> St., Room 1010  
Phoenix, AZ 85012

Mark Dioguardi, Esq.  
Tiffany and Bosco, P.A.  
500 Dial Tower  
1850 North Central Ave.  
Phoenix, AZ 85004

Michael M. Grant, Esq.  
Gallagher and Kennedy  
2600 North Central Ave.  
Phoenix, AZ 85004-3020

Penny Bewick  
Electric Lightwave, Inc.  
8100 N.E. Parkway Drive, #200  
Vancouver, WA 98662

Scott Wakefield  
Chief Counsel  
Residential Utility Consumer Office  
2828 North Central Ave., #1200  
Phoenix, AZ 85004

Thomas L. Mumaw, Esq.  
Snell & Wilmer L.L.P.  
One Arizona Center  
Phoenix, AZ 85004-0001

Robert Munoz  
WorldCom, Inc.  
185 Berry Street, Bldg. 1, #5100  
San Francisco, CA 94107

Donald A. Low  
Sprint Communications Company L.P.  
8140 Ward Parkway 5E  
Kansas city, MO 64114

Deborah S. Waldbaum, Esq.  
Teleport Communications Group, Inc.  
201 North Civic Drive, Suite 210  
Walnut Creek, CA 94596

Carrington Phillip  
Cox Communications, Inc.  
1400 Lake Hearn Drive, N.E.  
Atlanta, GA 30319

Thomas H. Campbell  
Lewis and Roca  
40 N. Central Ave.  
Phoenix, AZ 85004

Bill Haas  
Richard Lipman  
McLeod USA  
6400 C Street SW  
Cedar Rapids, IA 54206-3177

Richard Smith  
Cox California Telecom, Inc.  
Two Jack London Square  
Oakland, CA 94697

Douglas G. Bonner  
Alexandre B. Bouton  
Swidler & Berlin, Chartered  
3000 K Street, N.W. – Suite 300  
Washington, D.C. 20007

Lex J. Smith  
Michael W. Patter  
Brown & Bain, P.A.  
2901 North Central Ave.  
P.O. Box 400  
Phoenix, AZ 85001-0400

Susan McAdams  
Electric Lightwave, Inc.  
8100 N.E. Parkway Drive  
Suite 200  
P.O. Box 4959  
Vancouver, WA 98662

Charles Kallenbach  
American Communications Services, Inc.  
131 National Business Parkway  
Annapolis Junction, MD 20701

Karen L. Clauson  
Thomas F. Dixon  
MCI Telecommunications Corporation  
707 – 17<sup>th</sup> Street, #3900  
Denver, CO 80202

Kath Thomas  
Brooks Fiber Communications  
1600 South Amphlett Blvd., #330  
San Mateo, CA 94402

Joe Faber  
Teleport Communications Group, Inc.  
1350 Treat Blvd., #500  
Walnut Creek, CA 94506

  
\_\_\_\_\_