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BEFORE THE ARIZONA
Arizona Corporation Commission

MISSION

DOCKETED

CARL J. KUNASEK
Chairman

OCT 27 2000

JAMES M. IRVIN

Commissioner

WILLIAM A. MUNDEL

Commissioner

DOCKETED BY	
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IN THE MATTER OF U S WEST
COMMUNICATIONS, INC.'S
COMPLIANCE WITH § 271 OF THE
TELECOMMUNICATIONS ACT OF 1996

Docket No. T-00000A-97-0238

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NOTICE OF CONFLICT OF INTEREST

AT&T Communications of the Mountain States, Inc. and TCG Phoenix (AT&T), through undersigned counsel, gives notice of a conflict of interest, as follows:

1. Mr. Robert E. Cattanach, and the law firm of Dorsey & Whitney LLP, are attorneys representing U S WEST Communications, Inc., now Qwest Communications (U S WEST/Qwest) in this docket, the Section 271 proceedings in Arizona (the "subject docket").

2. Mr. Tucker Trautman is an attorney and a member of the Dorsey & Whitney law firm. Mr. Trautman previously represented AT&T in the Section 271 proceedings in Colorado, and previously acted as AT&T's main outside counsel in both interconnection arbitration dockets and cost dockets in Colorado and Wyoming. Both the current 271 docket and the previous arbitration and cost dockets involve U S WEST's (now Qwest's) legal

obligations arising under the Federal Telecommunications Act of 1996. Through his prior representation of AT&T, Mr. Trautman acquired confidential information about AT&T that is material to the subject docket.

3. The interests of AT&T are materially adverse to the interest of U S WEST/Qwest in the subject docket, as they were in previous arbitration and cost dockets.

4. Because Mr. Trautman and Mr. Cattanach are members of the same law firm, Mr. Trautman's very obvious conflict of interest were he to represent Qwest is imputed to and binding upon Mr. Cattanach. Mr. Cattanach and Dorsey & Whitney, therefore, are prohibited by ethical rules of conduct from representing the interests of U S WEST/Qwest against the interests of AT&T, a former client, in the subject docket, which is substantially related to matters in which Mr. Trautman previously represented AT&T.

5. Notwithstanding AT&T's requests, Mr. Cattanach and Dorsey & Whitney have refused to withdraw their representation of U S WEST/Qwest in the subject docket. Consequently, AT&T intends to complain to the State Bar Of Arizona that the conflict of interest violates Arizona Rules of Professional Conduct, ER 1.9(a), ER 1.10(a) and ER 1.10(b); and AT&T will request that the State Bar of Arizona take action to discipline Mr. Cattanach and Dorsey & Whitney for such violations.

6. AT&T gives notice that the conflict of interest exists in the subject docket, that the conflict of interest is prejudicial to AT&T, and that the conflict of interest may impair the integrity of the proceedings in the subject docket, as long as Mr. Cattanach remains involved.

Dated this 27th day of October 2000.

**AT&T COMMUNICATIONS OF THE
MOUNTAIN STATES, INC.**

By: Mary B. Tribby
Mary B. Tribby
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Telephone: (303) 298-6527

CERTIFICATE OF SERVICE

I hereby certify that the original and 10 copies of the Notice of Conflict of Interest on behalf of AT&T Communications of the Mountain States, Inc. regarding Docket No. T-00000A-97-0238, were sent via overnight delivery this 26th day of October, 2000, to:

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

and that a copy of the foregoing was sent via overnight delivery this 26th day of October, 2000 to the following:

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and a true and correct copy of the foregoing was sent via United States Mail, postage prepaid, on the 26th day of October, 2000 to the following:

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