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BEFORE THE ARIZONA CORPORATION COMMISSION
AZ CORP COMMISSION

- 2 JIM IRVIN
COMMISSIONER-CHAIRMAN
- 3 TONY WEST
COMMISSIONER
- 4 CARL J. KUNASEK
COMMISSIONER

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DOCUMENT Arizona Corporation Commission

DOCKETED

DOCKET NO. T-01051B-99-0105
MAR 04 1999

DOCKETED BY	<i>sd</i>
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RATE CASE
PROCEDURAL ORDER

5 IN THE MATTER OF THE APPLICATION OF U S
6 WEST COMMUNICATIONS, INC., A
7 COLORADO CORPORTION, FOR A HEARING
8 TO DETERMINE THE EARNINGS OF THE
9 COMPANY, THE FAIR VALUE OF THE
10 COMPANY FOR RATEMAKING PURPOSES, TO
11 FIX A JUST AND REASONABLE RATE OF
12 RETURN THEREON AND TO APPROVE RATE
13 SCHEDULES

BY THE COMMISSION:

11 On January 8, 1999, U S West Communications, Inc. ("U S West" or "Company") filed with
12 the Arizona Corporation Commission ("Commission") a rate application.

13 On February 26, 1999, the Utilities Division Staff ("Staff") of the Commission filed a letter
14 indicating that U S West's rate application was sufficient and classifying the utility as a Class A
15 utility.

16 Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern
17 the preparation and conduct of this proceeding.

18 IT IS THEREFORE ORDERED that the hearing in the above-captioned matter shall
19 commence on November 4, 1999 at 10:00 a.m., or as soon thereafter as is practical, at the
20 Commission's offices in Phoenix, 1200 West Washington Street, Phoenix, Arizona 85007.

21 IT IS FURTHER ORDERED that a pre-hearing conference shall be held on October 28, 1999
22 at 1:30 p.m. at the Commission's Phoenix offices, for the purpose of scheduling witnesses and the
23 conduct of the hearing.

24 IT IS FURTHER ORDERED that the Staff Report and/or any testimony and associated
25 exhibits to be presented at hearing on behalf of Staff shall be reduced to writing and filed on or before
26 August 24, 1999.

27 IT IS FURTHER ORDERED that any testimony and associated exhibits to be presented at
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1 hearing on behalf of intervenors shall be reduced to writing and filed on or before August 24, 1999.

2 IT IS FURTHER ORDERED that any rebuttal testimony and associated exhibits to be
3 presented at hearing by the Company shall be reduced to writing and filed on or before September 21,
4 1999.

5 IT IS FURTHER ORDERED that any surrebuttal testimony and associated exhibits to be
6 presented by the Staff or intervenors shall be reduced to writing and filed on or before October 12,
7 1999.

8 IT IS FURTHER ORDERED that any rejoinder testimony and associated exhibits to be
9 presented at the hearing on behalf of the Company shall be reduced to writing and filed on or before
10 October 26, 1999.

11 IT IS FURTHER ORDERED that any objections to any testimony or exhibits which have
12 been prefiled as of October 26, 1999 shall be made on or before October 28, 1999.

13 IT IS FURTHER ORDERED that all testimony filed shall include a table of contents which
14 lists the issues discussed.

15 IT IS FURTHER ORDERED that any substantive corrections, revisions, or supplements to
16 pre-filed testimony shall be reduced to writing and filed no later than five days before the witness is
17 scheduled to testify.

18 IT IS FURTHER ORDERED that the parties shall prepare a brief, written summary of the
19 pre-filed testimony of each of their witnesses and shall file each summary at least two working days
20 before the witness is scheduled to testify.

21 IT IS FURTHER ORDERED that copies of summaries should be served upon the Presiding
22 Officer, the Commissioners, and the Commissioners' aides as well as the parties of record.

23 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,
24 except that all motions to intervene must be filed on or before July 2, 1999.

25 IT IS FURTHER ORDERED that discovery shall be as permitted by law and the rules and
26 regulations of the Commission, except that: any objection to discovery requests shall be made within
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1 7 days¹ of receipt; responses to discovery requests shall be made within 10 days of receipt; the
2 response time may be extended by mutual agreement of the parties involved if the request requires an
3 extensive compilation effort; and no discovery requests shall be served after October 29, 1999.

4 IT IS FURTHER ORDERED that, in the alternative to filing a written motion to compel
5 discovery, any party seeking discovery may telephonically contact the Commission's Hearing
6 Division to request a date for a procedural hearing to resolve the discovery dispute; that upon such a
7 request, a procedural hearing will be convened as soon as practicable; and that the party making such
8 a request shall forthwith contact all other parties to advise them of the hearing date and shall at the
9 hearing provide a statement confirming that the other parties were contacted.²

10 IT IS FURTHER ORDERED that any motions which are filed in this matter and which are
11 not ruled upon by the Commission within 10 days of the filing date of the motion shall be deemed
12 denied.

13 IT IS FURTHER ORDERED that any responses to motions shall be filed within five days of
14 the filing date of the motion.

15 IT IS FURTHER ORDERED that any replies shall be filed within five days of the filing date
16 of the response.

17 IT IS FURTHER ORDERED that the Company shall provide public notice of the hearing in
18 this matter, in the following form and style, with the heading in no less than 24 point bold type and
19 the body in no less than 10 point regular type:

20 **PUBLIC NOTICE OF HEARING ON THE**
21 **RATE APPLICATION OF**
22 **U S WEST COMMUNICATIONS, INC.**

23 On January 8, 1999, U S West Communications, Inc. ("U S West") filed an
24 application with the Arizona Corporation Commission requesting an average increase
25 of 6.2 percent for telecommunication services. The actual percentage rate increase for
26 individual customers will vary depending upon the type and quantity of service
provided. For example, the proposed monthly increase for a standard residential line
would be \$2.50 or 19 percent while the standard business line would not increase.
Copies of the Company's application and proposed tariffs are available at its office and
the Commission's offices for public inspection during regular business hours.

27 ¹ All reference to "days" is to calendar days.

28 ² The parties are encouraged to attempt to settle discovery disputes through informal, good-faith negotiations
before seeking Commission resolution of the controversy.

1 The Commission will hold a hearing on this matter beginning November 4, 1999 at
2 10:00 a.m. at the Commission's offices, 1200 West Washington Street, Phoenix,
3 Arizona. Public comments will be taken on the first day of the hearing. Public
comment sessions to be held in other cities will be announced at a later date.

4 The law provides for an open public hearing at which, under appropriate
5 circumstances, interested parties may intervene. Intervention shall be permitted to any
6 person entitled by law to intervene and having a direct and substantial interest in the
7 matter. Persons desiring to intervene must file a written motion to intervene with the
Commission, which motion should be sent to the Company or its counsel and to all
parties of record, and which, at the minimum, shall contain the following:

- 8 1. The name, address, and telephone number of the proposed intervenor
and of any party upon whom service of documents is to be made if
different than the intervenor.
- 9 2. A short statement of the proposed intervenor's interest in the
10 proceeding (e.g., a customer of the Company, a shareholder of the
11 Company, etc.).
- 12 3. A statement certifying that a copy of the motion to intervene has been
mailed to the Company or its counsel and to all parties of record in the
13 case.

14 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
15 that all motions to intervene must be filed on or before July 2, 1999. The granting of
16 intervention, among other things, entitles a party to present sworn evidence at hearing
and to cross-examine other witnesses. However, failure to intervene will not preclude
any customer from appearing at the hearing and making a statement on such
customer's own behalf.

17 The Commission does not discriminate on the basis of disability in admission to its
18 public meetings. Persons with a disability may request a reasonable accommodation
19 such as a sign language interpreter, as well as request this document in an alternative
format, by contacting Cynthia Mercurio-Sandoval, ADA Coordinator, voice phone
20 number 602/542-0838, E-mail *csandoval@cc.state.az.us*. Requests should be made as
early as possible to allow time to arrange the accommodation.

21 IT IS FURTHER ORDERED that the Company shall mail to each of its customers a copy of
22 the above notice as a bill insert beginning with the first billing cycle in April 1999 and shall cause the
23 above notice to be published at least once in a newspaper of general circulation in its service territory,
with publication to be completed no later than April 30, 1999.

24 IT IS FURTHER ORDERED that the Company shall file certification of mailing and
25 publication as soon as practicable after the mailing/publication has been completed.

26 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing of same,
27 notwithstanding the failure of an individual customer to read or receive the notice.
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1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
2 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3 DATED this 4th day of March, 1999.

4
5 
6 JERRY L. RUDIBAUGH
7 CHIEF HEARING OFFICER

8 Copies of the foregoing mailed/delivered
9 this 4th day of March, 1999 to:

10 Timothy Berg
11 FENNEMORE CRAIG
12 3003 N. Central Avenue, Suite 2600
13 Phoenix, Arizona 85012
14 Attorneys for U S West Communications, Inc.

15 Paul Bullis, Chief Counsel
16 ARIZONA CORPORATION COMMISSION
17 1200 W. Washington Street
18 Phoenix, Arizona 85007

19 Director, Utilities Division
20 ARIZONA CORPORATION COMMISSION
21 1200 W. Washington Street
22 Phoenix, Arizona 85007

23 ARIZONA REPORTING SERVICE, INC.
24 2627 N. Third Street, Suite Three
25 Phoenix, Arizona 85004-1103

26
27 By: 
28 Debbi Person
Secretary to Jerry L. Rudibaugh