



INTERVENTION

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BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

CARL J. KUNASEK
Chairman
JAMES M. IRVIN
Commissioner
WILLIAM A. MUNDELL
Commissioner

1999 DEC 17 4:03
Arizona Corporation Commission
DOCKET NO. T-01051B-99-0105
AZ CORP COMMISSION
DOCUMENT CONTROL 17 1999

**IN THE MATTER OF THE APPLICATION)
OF U S WEST COMMUNICATIONS, INC.,)
A COLORADO CORPORATION, FOR A)
HEARING TO DETERMINE THE)
EARNINGS OF THE COMPANY, THE)
FAIR VALUE OF THE COMPANY FOR)
RATEMAKING PURPOSES, TO FIX A)
JUST AND REASONABLE RATE OF)
RETURN THEREON AND TO APPROVE)
RATE SCHEDULES DESIGNED TO)
DEVELOP SUCH RETURN)**



DOCKET NO. T-01051B-99-0105
APPLICATION OF EXCELL
AGENT SERVICES, L.L.C.
FOR LEAVE TO INTERVENE

Excell Agent Services, L.L.C. ("Excell"), pursuant to A.A.C. R14-3-105, hereby applies to intervene in the above captioned proceeding and states the following:

1. Excell is a wholesale provider of directory assistance services. Excell is a limited liability company organized under the laws of Arizona, with its principal place of business in Tempe, Arizona.
2. Excell and other wholesale providers of directory assistance require and obtain, either directly or as the agent of a competing provider, the database of directory assistance listings. In Arizona, U S WEST Communications, Inc. ("U S WEST") is the upstream compiler of the most current and complete database of directory assistance listings.
3. Excell and its customers compete with U S WEST in the provision of directory assistance to Arizona consumers.
4. On December 7, 1999, the Arizona Corporation Commission ("Commission") directed U S WEST to submit proposals for directory assistance pricing and service to the Commission in "the pending U S WEST rate case since the revenue

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1 impact of U S WEST's proposal is likely to be significant." The Commission rejected
2 U S WEST's request that these directory assistance issues be resolved in Docket No. T-
3 01051B-99-0362 (Competitive Classification Docket).

4 5. Excell acknowledges that this Application to Intervene is not timely filed.
5 However, Excell's need to participate in the above-captioned proceeding only became
6 apparent when the Commission directed that certain directory assistance issues be resolved
7 in this proceeding. Because the procedural schedule is in abeyance pending resolution of the
8 depreciation rate docket, no party will be prejudiced by Excell's intervention.
9

10 6. Excell will be directly and substantially affected by the resolution of U S
11 WEST's directory assistance issues in this proceeding. U S WEST seeks to substantially
12 change the manner and the price it will charge for directory assistance. U S WEST proposes
13 to do this without first meeting obligations imposed by the Federal Communications
14 Commission. In particular, the FCC Memorandum Opinion and Order issued September 27,
15 1999, in CC Docket 97-172, requires U S WEST to "make available to unaffiliated entities
16 all of the in-region directory listing information it uses to provide regionwide directory
17 assistance service at the same rates, terms and conditions it imputes to itself." Order, ¶ 37.
18 U S WEST has not complied with this order in Arizona.
19

20 7. Excell's participation in this proceeding will not unduly broaden the nature or
21 scope of U S WEST's Application.
22

23 WHEREFORE, Excell respectfully requests that the Arizona Corporation
24 Commission issue an order granting Excell intervention in the above-captioned proceeding.

25 ///

26 ///

1 RESPECTFULLY SUBMITTED this 17th day of December, 1999.

2 Excell Agent Services L.L.C.

3
4 By: 
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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that the original and 10 copies of Excell's Motion to Intervene were
3 filed this 17th day of December, 1999, with:

4 Arizona Corporation Commission
5 Docket Control – Utilities Division
6 1200 West Washington Street
7 Phoenix, AZ 85007

8 I hereby certify that copies of the Excell's Motion to Intervene have been hand-
9 delivered this 17th day of December, 1999 to:

10 Maureen Scott
11 Arizona Corporation Commission
12 Legal Division
13 1200 West Washington
14 Phoenix, AZ 85007

15 Deborah Scott
16 Arizona Corporation Commission
17 Director, Utilities Division
18 1200 West Washington
19 Phoenix, AZ 85007

20 Jerry L. Rudibaugh, Chief Hearing Officer
21 Arizona Corporation Commission
22 Hearing Division
23 1200 W. Washington
24 Phoenix, AZ 85007

25 I hereby certify that I have served Excell's Motion to Intervene to all parties of
26 record via United States Mail, postage prepaid, this 17th day of December, 1999 on the
following service list:

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