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THE ARIZONA CORPORATION COMMISSION

2 CARL J. KUNASEK
CHAIRMAN

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3 JIM IRVIN
COMMISSIONER

4 WILLIAM A. MUNDELL
COMMISSIONER

AZ CORP COMMISSION
DOCUMENT CONTROL

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6 IN THE MATTER OF THE APPLICATION OF
7 LOCAL GATEWAY EXCHANGE, INC. TO
8 CERTIFICATE OF CONVENIENCE AND
9 NECESSITY TO PROVIDE COMPETITIVE
FACILITIES-BASED AND RESOLD LOCAL
EXCHANGE AND INTEREXCHANGE
TELECOMMUNICATIONS SERVICES IN
ARIZONA

DOCKET NO. T-03883A-00-0366

PROCEDURAL ORDER

10 **BY THE COMMISSION:**

11 On May 30, 2000, Local Gateway Exchange, Inc. ("Applicant" or "LGEI") submitted to
12 Docket Control of the Arizona Corporation Commission ("Commission") an application for a
13 Certificate of Convenience and Necessity ("Certificate") to provide competitive facilities-based and
14 resold local exchange and interexchange telecommunications services in Arizona.

15 On July 5, 2000, LGEI filed Affidavits of Publication indicating compliance with the
16 Commission's notice requirements.

17 On August 18, 2000, the Commission's Utilities Division Staff ("Staff") filed a Staff Report.
18 Accordingly, the matter should be set for hearing.

19 Pursuant to Commission rules, the Commission now issues this Procedural Order to govern
20 the preparation and conduct of this proceeding.

21 IT IS THEREFORE ORDERED that the hearing on the above application and petition of
22 Applicant shall commence on October 26, 2000 at 11 a.m., or as soon thereafter as is practical, at the
23 Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

24 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,
25 except that all motions to intervene must be filed on or before **12 noon** on September 26, 2000.

26 IT IS FURTHER ORDERED that any objections to motions to intervene shall be filed no
27 later than **12:00 noon** on October 3, 2000.

28 IT IS FURTHER ORDERED that all intervenors shall file specific disagreements/comments

1 regarding the application and Staff Report by **12:00 noon** on October 19, 2000.

2 IT IS FURTHER ORDERED that the Applicant shall file specific disagreements/comments,
3 if any, to the Staff Report by **12:00 noon** on October 19, 2000.

4 IT IS FURTHER ORDERED that all intervenors, Staff and Applicant shall file by **12:00**
5 **noon** on October 19, 2000, a list of witnesses and subject area(s) to be covered at the hearing in this
6 matter.

7 IT IS FURTHER ORDERED that discovery shall be as permitted by law and the rules and
8 regulations of the Commission, except that every effort shall be made to respond within 48 hours of
9 receipt; the response time may be extended by mutual agreement of the parties involved if the request
10 requires an extensive compilation effort.

11 IT IS FURTHER ORDERED that in the alternative to filing a written motion to compel
12 discovery, any party seeking discovery may telephonically contact the Commission's Hearing
13 Division to request a date for a procedural hearing to resolve the discovery dispute; that upon such
14 request, a procedural hearing will be convened as soon as practicable; and that the party making such
15 a request shall forthwith contact all other parties to advise them of the hearing date and shall at the
16 hearing provide a statement confirming that the other parties were contacted.¹

17 IT IS FURTHER ORDERED that the Presiding Judge may rescind, alter, amend, or waive
18 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

19 DATED this 28th day of August, 2000.

22
23 
24 STEPHEN GIBELLI
25 ADMINISTRATIVE LAW JUDGE
26

27
28 ¹ The parties are encouraged to attempt to settle discovery disputes through informal, good-faith negotiations before seeking Commission resolution of the controversy.

1 Copies of the foregoing mailed/delivered
this 28th day of August, 2000, to:

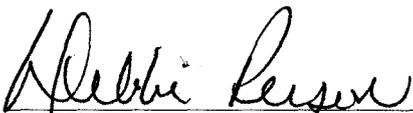
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3 Connie Wightman
4 Technologies Management, Inc.
210 Park Avenue, North
5 Winter Park, FL 32789

6 Charles G. Taylor, Jr., President and CEO
7 Local Gateway Exchange, Inc.
700 North Pearl, Suite 200
8 Dallas, Texas 75201

9 Lyn Farmer, Chief Counsel
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11 1200 West Washington Street
12 Phoenix, Arizona 85007

13 Deborah Scott, Director
14 Utilities Division
ARIZONA CORPORATION COMMISSION
15 1200 West Washington Street
16 Phoenix, Arizona 85007

17 ARIZONA REPORTING SERVICE, INC.
18 2627 N. Third Street, Suite Three
19 Phoenix, Arizona 85004-1104

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By: 
Debbi Person
Secretary to Stephen Gibelli