

ORIGINAL



0000014454

RECEIVED

BEFORE THE ARIZONA CORPORATION COMMISSION

25 H

COMMISSIONERS

2004 NOV 29 A 11: 36

Arizona Corporation Commission

DOCKETED

MARC SPITZER, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON
KRISTIN K. MAYES

AZ CORP COMMISSION
DOCUMENT CONTROL

NOV 29 2004

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
SOUTHWESTERN BELL COMMUNICATIONS
SERVICES, INC. DBA SBC LONG DISTANCE
FOR A CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE FACILITIES-BASED
INTEREXCHANGE SERVICES IN THE STATE
OF ARIZONA AND PETITION FOR
COMPETITIVE CLASSIFICATION OF
PROPOSED SERVICES.

DOCKET NO. T-03346A-04-0413

PROCEDURAL ORDER

BY THE COMMISSION:

On June 3, 2004, Southwestern Bell Communications Services, Inc. dba SBC Long Distance ("Applicant" or "SBC") submitted to the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide facilities-based interexchange telecommunications services within the State of Arizona. The application petitioned the Commission for determination that its proposed services should be classified as competitive.

On October 29, 2004, the Commission's Utilities Division Staff ("Staff") filed a Staff Report recommending approval of SBC's application subject to certain conditions.

On November 1, 2004, a Procedural Order was issued setting this matter for hearing on February 1, 2005 at 10:00 a.m. and setting various procedural deadlines.

On November 18, 2004, SBC filed both a Notice of Appearance as well as a Motion to Continue the Hearing ("Motion"), which indicated that SBC's witness will be unavailable to testify on February 1, 2005.

Staff has not filed an objection to SBC's Motion.

IT IS THEREFORE ORDERED that SBC's Motion is hereby granted.

IT IS FURTHER ORDERED that the hearing on the above application and petition of SBC shall commence on **February 15, 2005 at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

1 IT IS FURTHER ORDERED that Applicant shall publish notice of its filing and the hearing,
2 as stated below, in a newspaper(s) of general circulation in every county in Arizona in which
3 Applicant desires to provide service by January 3, 2005, and shall file Affidavits of Publication with
4 the Commission no later than January 31, 2005.

5 **IN THE MATTER OF THE APPLICATION OF SOUTHWESTERN BELL**
6 **COMMUNICATIONS SERVICES, INC. DBA SBC LONG DISTANCE FOR A**
7 **CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE**
8 **FACILITIES-BASED INTEREXCHANGE SERVICES AND PETITION FOR**
9 **COMPETITIVE CLASSIFICATION OF PROPOSED SERVICES**
10 **WITHIN THE STATE OF ARIZONA**
11 **Docket No. T-03346A-04-0413**

12 Southwestern Bell Communications Services, Inc. dba SBC Long Distance
13 (“Applicant”) has filed with the Arizona Corporation Commission (“Commission”) an
14 application for a Certificate of Convenience and Necessity (“Certificate”) to provide
15 competitive facilities-based interexchange telecommunications services in the State of
16 Arizona. Applicant will be required by the Commission to provide this service under
17 the rates and charges and terms and conditions established by the Commission.

18 The application, report of the Commission’s Utilities Division Staff, and any
19 written exceptions to the staff report prepared by the applicant are available for
20 inspection during regular business hours at the offices of the Commission located at
21 1200 West Washington Street, Phoenix, Arizona 85007, and at Applicant, [address].

22 Under appropriate circumstances, interested parties may intervene in the
23 proceedings and participate as a party. You may have the right to intervene in the
24 proceeding, or you may make a statement for the record. Intervention shall be in
25 accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed
26 on or before January 24, 2005. Persons desiring to intervene must file a written
27 motion to intervene with the Commission and send such motion to the Company or its
28 counsel and to all parties of record, and which at the minimum, shall contain the
following:

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.
2. A short statement of the proposed intervenor’s interest in the proceeding (e.g. a customer of the company, a shareholder of the company, a competitor, etc.).
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 case.

A.A.C. R14-3-105 shall govern the granting of motions to intervene. The granting of intervention, among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and making a statement on their own behalf. The hearing is scheduled to commence on **February 15, 2005 at 10:00 a.m.** at the Arizona Corporation Commission, 1200 West

1 Washington Street, Phoenix, Arizona 85007. Please check with the Commission for
any changes to the scheduled hearing date.

2 If you have any comments, mail them to:

3 The Arizona Corporation Commission
4 Attention Docket Control
re: Southwestern Bell Communications Services, Inc. dba SBC Long Distance
5 T-03346A-04-0413
6 1200 West Washington Street
Phoenix, Arizona 85007

7 If you have any questions about this application, or want information on
8 intervention, you may contact the Consumer Services Section of the Commission at
1200 West Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

9 The Commission does not discriminate on the basis of disability in admission
10 to its public meetings. Persons with a disability may request a reasonable
11 accommodations such as sign language interpreter, as well as request this document in
an alternative format, by contacting Linda Hogan, ADA Coordinator, voice phone
12 number 602-542-3931. Requests should be made as early as possible to allow time to
arrange the accommodation.

13 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,
14 except that all motions to intervene must be filed on or before January 24, 2005.

15 IT IS FURTHER ORDERED that any objections to motions to intervene must be filed on or
16 before February 8, 2005.

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

19 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
20 Communications) applies to this proceeding as the matter is now set for public hearing.

21 DATED this 29th day of November, 2004.

22 
23 AMANDA POPE
24 ADMINISTRATIVE LAW JUDGE

25 Copies of the foregoing mailed/delivered
this 29th day of November, 2004 to:

26 Gary L. Lane
27 Attorney at Law
28 2929 North 44th Street, Suite 120
Phoenix, Arizona 85018

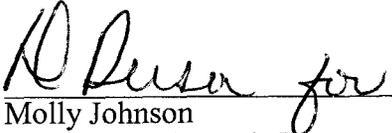
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Andrew Isar
Miller Isar, Inc.
7901 Skansie Avenue, Suite 240
Gig Harbor, Washington 98335

Christopher Kempley, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

Ernest Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

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

By: 
Molly Johnson
Secretary to Amanda Pope