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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2005 FEB -1 A 10: 19

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

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
QWEST COMMUNICATIONS
CORPORATION D/B/A QWEST LONG
DISTANCE FOR EXTENSION OF ITS
EXISTING CERTIFICATE OF
CONVENIENCE AND NECESSITY TO
INCLUDE AUTHORITY TO PROVIDE
RESOLD AND FACILITIES-BASED LOCAL
EXCHANGE AND RESOLD LONG
DISTANCE SERVICES IN ADDITION TO ITS
CURRENT AUTHORITY TO PROVIDE
FACILITIES-BASED LONG DISTANCE
SERVICES, AND PETITION FOR
COMPETITIVE CLASSIFICATION OF
PROPOSED SERVICES WITHIN THE STATE
OF ARIZONA.

DOCKET NO. T-02811B-04-0313

Arizona Corporation Commission
DOCKETED

FEB 0 1 2005

DOCKETED BY *CAK*

PROCEDURAL ORDER

BY THE COMMISSION:

On April 23, 2004, Qwest Communications Corporation d/b/a Qwest Long Distance¹ ("QCC") filed an Application and Petition with the Arizona Corporation Commission ("Commission") requesting that its existing Certificate of Convenience and Necessity ("CC&N") be extended to include the authority to provide resold long distance service, resold local exchange service and facilities-based local exchange service in addition to the facilities based long distance authority previously granted.²

On December 17, 2004, QCC filed a Supplement to Application and Petition.

On January 19, 2005, QCC filed a Request for Procedural Conference.

By Procedural Order issued January 25, 2005, a Procedural Conference was set for January 28, 2005 for the purpose of discussing the procedural schedule for a hearing on this matter.

¹ The application states that the applicant does business under the d/b/a Qwest Long Distance for its interexchange business.

² See Decision No. 66612 (December 10, 2003).

1 The Procedural Conference was held as scheduled. QCC and Staff appeared through counsel.
 2 Staff stated that the application is sufficient enough for Staff to prepare a Staff Report on the
 3 application, and that it could complete its Staff Report within two weeks. QCC stated that it could
 4 file a written response to the Staff Report within two weeks of the date the Staff Report is filed.

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

7 IT IS THEREFORE ORDERED that the hearing on the above application and petition of
 8 Applicant shall commence on **March 23, 2005 at 1:30 p.m.**, or as soon thereafter as is practical, at
 9 the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

10 IT IS FURTHER ORDERED that QCC shall, no later than February 11, 2005, cause to be
 11 published in newspapers of general circulation in every county in Arizona in which Applicant desires
 12 to provide service, the following notice of the hearing on the application, in the following form and
 13 style, with the heading in no less than 14 pt type and the body in no less than 10 pt type:

14
 15 **IN THE MATTER OF THE APPLICATION OF QWEST COMMUNICATIONS**
 16 **CORPORATION D/B/A QWEST LONG DISTANCE FOR EXTENSION OF ITS**
 17 **EXISTING CERTIFICATE OF CONVENIENCE AND NECESSITY TO INCLUDE**
 18 **AUTHORITY TO PROVIDE RESOLD AND FACILITIES-BASED LOCAL**
 19 **EXCHANGE AND RESOLD LONG DISTANCE SERVICES IN ADDITION TO ITS**
 20 **CURRENT AUTHORITY TO PROVIDE FACILITIES-BASED LONG DISTANCE**
 21 **SERVICES, AND PETITION FOR COMPETITIVE CLASSIFICATION OF PROPOSED**
 22 **SERVICES WITHIN THE STATE OF ARIZONA.**

23 **Docket No. T-02811B-04-0313**

24 Qwest Communications Corporation dba Qwest Long Distance ("Applicant"),
 25 an affiliate of the incumbent local exchange carrier Qwest Corporation, has filed with
 26 the Arizona Corporation Commission ("Commission") an application requesting that
 27 its existing Certificate of Convenience and Necessity ("CC&N") be extended to
 28 include, in addition to the facilities-based long distance authority previously granted,
 authority to provide resold long distance service, resold local exchange service, and
 facilities-based local exchange service in the State of Arizona. Applicant would be
 required by the Commission to provide these services under the rates and charges and
 terms and conditions established by the Commission.

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

Under appropriate circumstances, interested parties may intervene in the
 proceedings and participate as a party. You may have the right to intervene in the

1 proceeding, or you may make a statement for the record. Intervention shall be in
2 accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed
3 on or before **March 11, 2005**. Persons desiring to intervene must file a written motion
4 to intervene with the Commission and send such motion to the Applicant or its counsel
5 and to all parties of record, and which at the minimum, shall contain the following:

6 1. The name, address, and telephone number of the proposed intervenor and of
7 any party upon whom service of documents is to be made if different than the
8 intervenor.

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

11 3. A statement certifying that a copy of the motion to intervene has been
12 mailed to the Applicant or its counsel and to all parties of record in the case.

13 A.A.C. R14-3-105 shall govern the granting of motions to intervene. The
14 granting of intervention, among other things, entitles a party to present sworn evidence
15 at the hearing and to cross-examine other witnesses. However, failure to intervene
16 will not preclude any interested person or entity from appearing at the hearing and
17 making a statement. The hearing is scheduled to commence on
18 **March 23, 2005 at 1:30 p.m.** at the Arizona Corporation Commission, 1200 West
19 Washington Street, Phoenix, Arizona 85007. Please check with the Commission for
20 any changes to the scheduled hearing date.

21 If you have any comments, mail them to:

22 The Arizona Corporation Commission
23 Attention Docket Control
24 re: Qwest Communications Corporation d/b/a Qwest Long Distance
25 T-02811B-04-0313
26 1200 West Washington Street
27 Phoenix, Arizona 85007

28 If you have any questions about this application, or want information on
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.

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

IT IS FURTHER ORDERED that Qwest Communications Corporation shall file Affidavits of
Publication with the Commission no later than February 25, 2005.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,
except that all motions to intervene must be filed on or before March 11, 2005.

IT IS FURTHER ORDERED that any objections to motions to intervene must be filed on or

1 before March 18, 2005.

2 IT IS FURTHER ORDERED that Staff shall file a Staff Report on the application on or
3 before February 23, 2005.

4 IT IS FURTHER ORDERED that the Staff Report shall address Qwest Communications
5 Corporation's compliance with the requirements of Decision No. 66612 (December 9, 2003),
6 including but not limited to Findings of Fact No. 59, and shall also address the scope and status of the
7 joint Federal/State independent audit required of Qwest Communications Corporation's affiliate
8 Qwest Corporation regarding its competitive affiliates under §272 of the Telecommunications Act of
9 1996.

10 IT IS FURTHER ORDERED that the Staff Report shall also address the issue of whether the
11 reaffirmation of the limited waiver of the Commission's Affiliated Interests Rules granted in
12 Decision No. 64654 (March 27, 2002), should be revisited, in light of the fact that Qwest
13 Communications Corporation is requesting authority to provide services in competition with services
14 provided by its affiliate Qwest Corporation.

15 IT IS FURTHER ORDERED that Qwest Communications Corporation shall file a written
16 response to the Staff Report no later than March 16, 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 1st day of February, 2005.

22
23
24 
TEENA WOLFE
25 ADMINISTRATIVE LAW JUDGE

26 ...
27 ...
28 ...

1 The foregoing was mailed/delivered
2 this 1 day of February, 2005 to:

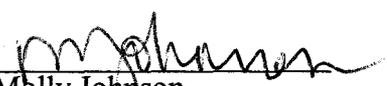
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14 Christopher Kempley, Chief Counsel
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16 ARIZONA CORPORATION COMMISSION
17 1200 West Washington Street
18 Phoenix, AZ 85007

19 Ernest G. Johnson, Director
20 Utilities Division
21 ARIZONA CORPORATION COMMISSION
22 1200 West Washington Street
23 Phoenix, AZ 85007

24 ARIZONA REPORTING SERVICE
25 2627 N. Third Street, Ste. Three
26 Phoenix, AZ 85004-1003

27 By: 
28 Molly Johnson
Secretary to Teena Wolfe