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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS 2005 JAN -5 P 4: 18
 MARC SPITZER - CHAIRMAN
 WILLIAM A. MUNDELL AZ CORP COMMISSION
 JEFF HATCH-MILLER DOCUMENT CONTROL
 MIKE GLEASON
 KRISTIN K. MAYES

IN THE MATTER OF THE PETITION OF DIECA) DOCKET NO. T-03632A-04-0425
 COMMUNICATIONS, INC. dba COVAD) DOCKET NO. T-01051B-04-0425
 COMMUNICATIONS COMPANY FOR)
 ARBITRATION OF AN INTERCONNECTION)
AGREEMENT WITH QWEST CORPORATION.)

**MOTION AND CONSENT OF MICHAEL W. PATTEN FOR
 PRO HAC VICE ADMISSION OF ANDREW R. NEWELL
 ON BEHALF OF DIECA COMMUNICATIONS, INC. dba COVAD
 COMMUNICATIONS COMPANY**

Pursuant to Rule 33(c) and (d) Rules of Supreme Court, Michael W. Patten moves the Arizona Corporation Commission to admit Andrew R. Newell as counsel pro hac vice in this action.

The following exhibits are attached here to pursuant to Rule 33(c) and (d):

1. The Original Verified Application;
2. The Certificate of Good Standing; and
3. The State Bar of Arizona Notice of Receipt.

The filing fee as required under Rule 33(d) has been submitted to the State Bar of Arizona. Michael W. Patten hereby agrees to serve as designated local counsel for the above-captioned docket.

Arizona Corporation Commission

DOCKETED

JAN 05 2005

DOCKETED BY	<i>[Signature]</i>
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ROSKA HEYMAN & DEWULF, PLC
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 RESPECTFULLY SUBMITTED this 5th day of January, 2005.
2

3 By 
4

5 Michael W. Patten
6 ROSKA HEYMAN & DEWULF, PLC
7 One Arizona Center
8 400 East Van Buren Street, Suite 800
9 Phoenix, Arizona 85004
10 (602) 256-6100

11 and

12 Andrew R. Newell
13 Covad Communications Company
14 7901 Lowry Boulevard
15 Denver, Colorado 80230

16 Attorneys for DIECA Communications, Inc., d/b/a Covad
17 Communications Company

18 Original and 15 copies of the foregoing
19 filed this 5th day of January, 2005 with:

20 Docket Control
21 Arizona Corporation Commission
22 1200 West Washington Street
23 Phoenix, Arizona 85007

24 Copy of the foregoing hand-delivered/mailed
25 this 5th day of January, 2005 to:

26 Timothy Berg
27 Teresa Dwyer
28 Fennemore Craig
29 3003 North Central Avenue
30 Suite 2600
31 Phoenix, Arizona 85012

ROSHKA HEYMAN & DEWULF, PLC

ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 Laurel L. Burke
Qwest Corporation
2 1801 California Street
10th Floor
3 Denver, Colorado 80202
4 Winslow B. Waxler, Esq
Qwest Services Corporation
5 1005 17th Street, Suite 200
6 Denver, Colorado 80209
7 Norman G. Curtright
Corporate Counsel
8 Qwest Corporation
4041 North Central Avenue, Suite 11
9 Phoenix, Arizona 85014

10 John Devaney
Perkins Coie, LLP
11 607 Fourteenth Street, N.W.
12 Suite 800
Washington, D.C. 20005

13 Dwight Nodes, Esq.
14 Administrative Law Judge
Hearing Division
15 Arizona Corporation Commission
1200 West Washington
16 Phoenix, Arizona 85007

17 Maureen A. Scott, Esq
18 Legal Division
Arizona Corporation Commission
19 1200 West Washington
20 Phoenix, Arizona 85007

21 Ernest Johnson, Esq
Utilities Division
22 Arizona Corporation Commission
1200 West Washington
23 Phoenix, Arizona 85007

24
25 By Mary Spoleto
26
27



For Official Use Only
 App# 1001529
 Pro Hac ID # P154468

**NONRESIDENT ATTORNEY
 PRO HAC VICE APPLICATION**

Name: Andrew R. Newell
 Residence Address: 8165 Cody Court, Arvada, Colorado 80005
 Office Address: Tower I, Suite 1000, 1515 Arapahoe Street, Denver, Colorado 80202

Telephone: 303-376-5093 Fax: 303-376-5001

Title of cause or case where applicant seeks to appear: In the Matter of the Petition of DIECA Communicatiosn, Inc. dba Covad Communications Company for Arbitration of an Interconnection Agreement with Qwest Corporation.

Docket Number: T-03632A-04-0425

Court, Board, or Administrative Agency: ACC

Party on whose behalf applicant seeks to appear: DIECA Communciations, Inc., d/b/a Covad Communications Company

Courts to Which Applicant Has Been Admitted:	Date of Admission:	Bar Number:
<u>All Colorado State Courts</u>	<u>October 25, 1999</u>	<u>31121</u>
<u>US District Court, District of Colorado</u>	<u>July 18, 2002</u>	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Applicant is a member in good standing in such courts.

Applicant is not currently disbarred or suspended in any court.

Applicant is / is not (select one) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

Jurisdiction(s) Where Discipline Matter Pending:	Nature of Matter Under Investigation:	Name / Address of Disciplinary Authority:
<u>N/A</u>	_____	_____
_____	_____	_____
_____	_____	_____

Applicant has / has not (select one) been disciplined by any court, agency or organization authorized to discipline attorneys at law.

RECEIVED
 DEC 30 2004
 STATE BAR OF ARIZONA
 BY _____

In the preceding three (3) years, applicant has filed applications to appear as counsel under Rule 33, Arizona Rules of Supreme Court in the following:

Title of Matter:	Docket #:	Court or Agency:	Application Granted? (Y/N)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Name of local counsel: Michael Patten of Roshka Heyman & DeWulf
State Bar of Arizona Number: 009796
Address: One Arizona Center, 400 East Van Buren, Suite 400, Phoenix, Arizona 85004-6800

Telephone : 602-256-6100 Fax: 602-256-6800

Name(s) of each party in this cause and name and address of all counsel of record:

Party:	Counsel of Record:	Address:
<u>Qwest Corporation</u>	<u>Timothy Berg - Fennemore Craig, P.C.</u>	<u>3003 N. Central Avenue, Suite 2600, Phoenix, Arizona 85012</u>
<u>Qwest Corporation</u>	<u>Norman G. Curtright</u>	<u>4041 N. Central Avenue, Suite 1100, Phoenix, Arizona 85012</u>
<u>Qwest Corporation</u>	<u>John Devaney - Perkins Coie LLP</u>	<u>607 Fourteenth S., N.W., Suite 800, Washington, D.C. 20005-2011</u>
<u>Covad Communications Company</u>	<u>Karen Frame</u>	<u>7901 Lowry Blvd., Denver, Colorado 80230</u>

Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$369.75.

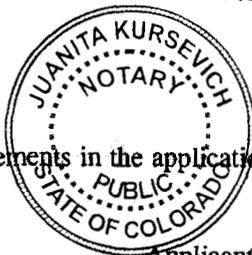
This case or cause is / is not (select one) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, applicant certifies the following:

Applicant certifies the following:

1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Rule 46(b) Rules of the Supreme Court.
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

Verification

STATE OF Colorado
County of Denver ss.



I, the Applicant, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

Dated: 12/17/04

Applicant's signature [Handwritten Signature]
 My Commission Expires 3/2/08

SUBSCRIBED AND SWORN TO before me this 17th day of Dec, 2004 by
Andrew R Newell
 Name of Applicant

My commission expires 3/2/08.

Juanita Kursevich
 Notary Public

NOTE - As the application requires original signatures of the applicant and notary, this application cannot be filed electronically. Please submit all documents and fees by mail to:

State Bar of Arizona
 Pro Hac Vice
 111 West Monroe, Suite 1800
 Phoenix, AZ 85003

For further information, please contact our Resource Center at 602-340-7239.

**Superior Court
Arizona Corporation Commission**

Petition DIECA,
Plaintiff,

v.

Qwest Corporation,
Defendant.

CASE # T-03632A-04-0425

SBA App # 1001529

**NOTICE OF RECEIPT OF
COMPLETE APPLICATION**

NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has received the verified application and fee from Andrew R. Newell.

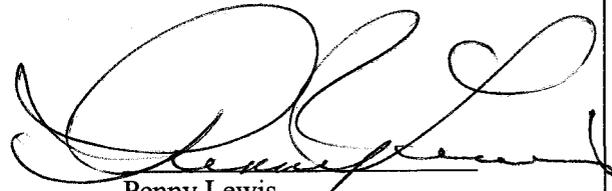
In addition to this application, applicant has made the following applications to appear pro hac vice, pursuant to Rule 33 (d), within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?	
_____	_____	_____	<input type="checkbox"/> yes	<input type="checkbox"/> no
_____	_____	_____	<input type="checkbox"/> yes	<input type="checkbox"/> no
_____	_____	_____	<input type="checkbox"/> yes	<input type="checkbox"/> no
_____	_____	_____	<input type="checkbox"/> yes	<input type="checkbox"/> no

Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of Good Standing are attached hereto.

Pursuant to Rule 33(d) 3(b), a copy of each order granting or denying the motion as entered by the court, board or administrative agency shall be mailed by local counsel to the State Bar of Arizona attention Membership Records.

DATED this 4th day of January, 2004



Penny Lewis
Resource Center
State Bar of Arizona

Original Mailed on
This 4th day of January, 2004 to:
Michael Patten
400 E Van Buren Suite 800
Phoenix, AZ 85004



Certificate of Good Standing

United States District Court
District of Colorado

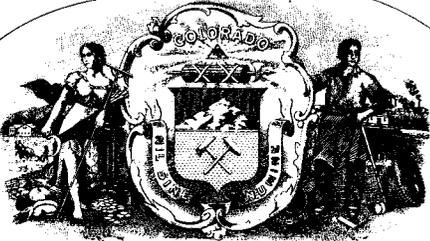
I, Gregory C. Langham, Clerk of the United States District Court
DO HEREBY CERTIFY
Andrew Robert Newell
was duly admitted to practice in said court on
July 18, 2002
and is in good standing as a member of the bar of said court.

Dated: December 20, 2004

Gregory C. Langham, Clerk

By: *Kimberly Balof*
Deputy Clerk

SUPREME COURT



State of Colorado

STATE OF COLORADO, ss:

I, Susan J. Festag Clerk of the Supreme Court of the State of Colorado, do hereby certify that

Andrew R. Newell

has been duly licensed and admitted to practice as an

ATTORNEY AND COUNSELOR AT LAW

within this State; and that his/her name appears upon the Roll of Attorneys and Counselors at Law in my office of date the 25th

day of October A. D. 1999 and that at the date hereof the said Andrew R. Newell

is in good standing at this Bar.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Supreme Court, at Denver, in said State, this

15th day of December A. D. 2004

Susan J. Festag

Clerk

By Sharon H. Kanyler

Deputy Clerk





Certificate of Good Standing

United States District Court
District of Colorado

I, Gregory C. Langham, Clerk of the United States District Court
DO HEREBY CERTIFY

Andrew Robert Newell

was duly admitted to practice in said court on
July 18, 2002

and is in good standing as a member of the bar of said court.

Dated: December 20, 2004

Gregory C. Langham, Clerk

By: *Kimberly Balof*
Deputy Clerk