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BEFORE THE ARIZONA CORPORATION COMMISSION

2005 FEB -2 P 3:43

1 JEFF HATCH-MILLER

Chairman

3 MARC SPITZER

Commissioner

4 WILLIAM MUNDELL

Commissioner

5 MIKE GLEASON

Commissioner

6 KRISTIN MAYES

Commissioner

AZ CORP COMMISSION  
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

FEB 02 2005

DOCKETED BY

8  
9 IN THE MATTER OF THE PETITION OF  
10 DIECA COMMUNICATIONS, INC. dba  
11 COVAD COMMUNICATIONS COMPANY  
12 FOR ARBIRATION OF AN  
13 ITNERCONNECTION AGREEMENT WITH  
14 QWEST CORPORATION.

DOCKET NOS. T-03632A-04-0425  
T-01051B-04-0425

MOTION AND CONSENT OF  
LOCAL COUNSEL FOR  
PRO HAC VICE ADMISSION OF  
WINSLOW B. WAXTER

14 The undersigned counsel, pursuant to Rule 33(c) and (d), Rules of the Supreme Court,  
15 hereby applies to admit Winslow B. Waxter as counsel *pro hac vice* in this docket. Pursuant to  
16 Rule 33(d)(3)(c) Rules of the Supreme Court, the following exhibits are attached hereto:

- 17 1. The original verified application;  
18 2. The original Certificate(s) of Good Standing; and  
19 3. The State Bar of Arizona Notice of Receipt.

20 The filing fee required by Rule 33(d) has been submitted to the State Bar of Arizona.

21 Norman G. Curtright hereby agrees to serve as designated local counsel for the subject docket.

22 A proposed Order admitting Winslow B. Waxter accompanies this motion.

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RESPECTFULLY SUBMITTED this 2nd day of February, 2005.

QWEST SERVICES CORPORATION

By:   
Norman G. Curtright  
Corporate Counsel  
4041 N. Central Ave., Suite 1100  
Phoenix, Arizona 85012  
Telephone: (602) 630-2187

ORIGINAL and 13 copies hand-delivered  
For filing February 2, 2005, to:

Docket Control  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, AZ 85007

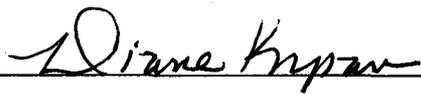
COPIES of the foregoing mailed on  
This 2nd day of February, 2005, to:

Lyn Farmer, Chief Administrative Law Judge  
Jane Rodda, Administrative Law Judge  
Hearing Division  
ARIZONA CORPORATION COMMISSION  
1200 W. Washington  
Phoenix, AZ 85007  
Email: [lfarmer@cc.state.az.us](mailto:lfarmer@cc.state.az.us)

Maureen A. Scott, Esq.  
Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 W. Washington Street  
Phoenix, AZ 95007  
Email: [mScott@cc.state.az.us](mailto:mScott@cc.state.az.us)

1 Michael Patten  
2 ROSHKA, HEYMAN & DEWULF  
3 400 E. Van Buren, Suite 900  
4 Phoenix, AZ 85004-3906  
5 Email: [mpatten@rhd-law.com](mailto:mpatten@rhd-law.com)

6 Karen Shoreman Frame  
7 Senior Counsel  
8 COVAD COMMUNICATIONS COMPANY  
9 7901 Lowry Boulevard  
10 Denver, CO 80230

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For Official Use Only
App# <u>1001387</u>
Pro Hac ID # <u>P154705</u>

**NONRESIDENT ATTORNEY  
PRO HAC VICE APPLICATION**

Name: Winslow B. Waxter  
 Residence Address: 510 S. Williams St.  
Denver, CO 80209

Office Address: Qwest Services Corporation  
1005 17<sup>th</sup> Street, Ste. 200  
Denver, CO 80203

Telephone: 303-896-1518 Fax: 303-896-6095

Title of cause or case where applicant seeks to appear: In the Matter of the Petition of DIECA Communications, Inc. dba Covad Communications Company for Arbitration of an Interconnection Agreement with Qwest Corporation  
 Docket Number: T-03632A-04  
 Court, Board, or Administrative Agency: Arizona Corporation Commission  
 Party on whose behalf applicant seeks to appear: Qwest Corporation

Courts to Which Applicant Has Been Admitted:	Date of Admission:	Bar Number:
<u>Maryland Court of Appeals</u>	<u>12/17/91</u>	<u>none</u>
<u>U.S. District Court for the District of Maryland</u>	<u>12/18/92</u>	<u>10614</u>
<u>Colorado Supreme Court</u>	<u>6/20/00</u>	<u>31695</u>
<u>U.S. District Court for the District of Colorado</u>	<u>12/6/93</u>	<u>none</u>
<u>United States Court of Appeals for the Tenth Circuit</u>	<u>7/8/03</u>	<u>none</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.

<b>RECEIVED</b>
JAN 26 2005
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: Norman G. Curtright  
State Bar of Arizona Number: 022848  
Address: 4041 N. Central Ave., Suite 1100  
Phoenix, AZ 85012

Telephone : 602-630-2187 Fax: 602-235-3107

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

Party:	Counsel of Record:	Address:
<u>Qwest</u>	<u>Timothy Berg</u>	<u>3003 N. Central Ave., Suite 2600</u> <u>Phoenix, AZ 85012</u>
<u>Qwest</u>	<u>John Devaney</u>	<u>607 Fourteenth Street, N.W., Suite 800</u> <u>Washington, DC 20005</u>
<u>Covad</u>	<u>Michael Patton</u>	<u>One Arizona Center</u> <u>400 E. Van Buren Street, Suite 800</u> <u>Phoenix, AZ 85004</u>
<u>Covad</u>	<u>Karen Frame</u>	<u>7901 Lowry Blvd.</u> <u>Denver, CO 80230</u>

Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$391.00.

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: 1/25/05

Applicant's signature Winslow B. Waxter

SUBSCRIBED AND SWORN TO before me this 25<sup>th</sup> day of January 2005 by  
WINSLOW B. WAXTER  
Name of Applicant

Christine Jones  
Notary Public

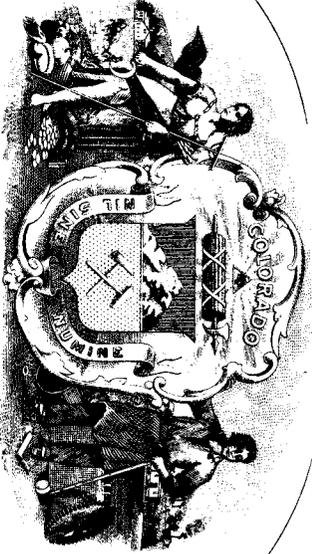
*Commission Expires: 2-5-07*

**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.

# 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

Winslow B. Waxter

has been duly licensed and admitted to practice as an

### ATTORNEY AND COUNSELOR AT LAW

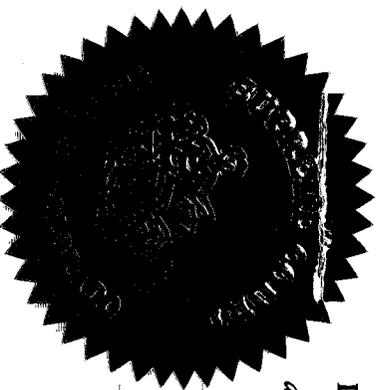
within this State; and that his/her name appears upon the Roll of Attorneys and Counselors at Law in my office of date the 20<sup>th</sup> day of June A. D. 2000 and that at the date hereof the said Winslow B. Waxter is in good standing at this Bar.

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

5<sup>th</sup> day of January A. D. 2005

Susan J. Festag

Clerk



By Sharon H. Murphy

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

**Winslow Bouscaren Waxter**  
was duly admitted to practice in said court on  
**June 10, 2004**

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

Dated: December 20, 2004

Gregory C. Langham, Clerk

By: *K. Balogh*  
Deputy Clerk



for the Tenth Circuit

I, Patrick Fisher, Clerk of the United States Court of Appeals for the Tenth Circuit,

**DO HEREBY CERTIFY** that Winslow Waxter was

duly admitted to practice before this Court on July 8, 2003,

and is in good standing. There have been no disciplinary actions instituted in this court.

Dated at Denver, Colorado, on August 11, 2004.

PATRICK FISHER  
Clerk

By *Patrick Fisher*  
Deputy Clerk

**Court of Appeals  
of Maryland**  
Annapolis, MD



**CERTIFICATE OF GOOD STANDING**

STATE OF MARYLAND, ss:

I, Alexander L. Cummings, Clerk of the Court of Appeals of Maryland,  
do hereby certify that on the 17th day of December, 1991,

**WINSLOW F. BOUSCAREN**

having first taken and subscribed the oath prescribed by the Constitution and  
Laws of this State, was admitted as an attorney of said Court, is now in good  
standing, and as such is entitled to practice law in any of the Courts of said  
State, subject to the Rules of Court.

**In Testimony Whereof,** I have hereunto set  
my hand as Clerk, and affixed the Seal of the  
Court of Appeals of Maryland, this 10th  
day of January, 2005.

*Alexander L. Cummings*  
Clerk of the Court of Appeals of Maryland



## United States District Court For the District of Maryland

### Certificate of Good Standing

I, Felicia C. Cannon, Clerk of the United States District Court for the District of Maryland,

**DO HEREBY CERTIFY** that, **WINSLOW B. WAXTER,**  
**ESQUIRE, BAR NUMBER 10614,** was duly admitted to practice in said Court on December 18, 1992, and is in good standing as a member of the bar of said Court. The indices of this Court have been searched and do not reveal any disciplinary actions, either present or past, as to the above named attorney.

Dated at Baltimore, Maryland

FELICIA C. CANNON

Clerk

Date: January 14, 2005

*Tina Stavreu*

Tina Stavreu - Deputy Clerk

1 **Arizona Corporation Commission**

2  
3 In the Matter of the Petition of Dieca )  
Communications, INC. dba )

CASE # T-03632A -04

4 )  
5 Covad Communications Co. for Arbitration )  
of an Interconnection Agreement with )  
6 Qwest Corporation. )

SBA App # 1001587

7 **NOTICE OF RECEIPT OF  
COMPLETE APPLICATION**

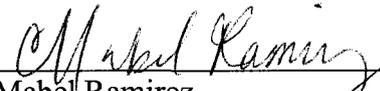
8 NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has  
9 received the verified application and fee from Winslow B. Waxter

10 In addition to this application, applicant has made the following applications to appear  
pro hac vice, pursuant to Rule33 (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

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

18 DATED this 27<sup>th</sup> day of January 2005

19   
20 Mabel Ramirez  
21 Resource Center  
State Bar of Arizona

22 Original Mailed on  
23 This 27<sup>h</sup> day of January 2005 to:  
24 Mr. Norman G. Cutright  
4041 N. Central Ave Suite 1100  
25 Phoenix, AZ 85012

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**BEFORE THE ARIZONA CORPORATION COMMISSION**

**JEFF HATCH-MILLER**  
Chairman  
**MARC SPITZER**  
Commissioner  
**WILLIAM MUNDELL**  
Commissioner  
**MIKE GLEASON**  
Commissioner  
**KRISTIN MAYES**  
Commissioner

**IN THE MATTER OF THE PETITION OF  
DIECA COMMUNICATIONS, INC. dba  
COVAD COMMUNICATIONS COMPANY  
FOR ARBIRATION OF AN  
ITNERCONNECTION AGREEMENT WITH  
QWEST CORPORATION.**

DOCKET NOS. T-03632A-04-0425  
T-01051B-04-0425

**ORDER FOR *PRO HAC VICE*  
ADMISSION OF  
WINSLOW B. WAXTER**

Based upon the motion for admission *Pro Hac Vice* of Winslow B. Waxter and the consent to appear as local counsel b Norman G. Curtright,

**IT IS HEREBY ORDERED** that Winslow B. Waxter be admitted *Pro Hac Vice* as counsel for Qwest Corporation in Docket Nos. T-03632A-04-0425 and T-01051-04-0425 in the above-entitled matter.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Dwight D. Nodes  
Administrative Law Judge