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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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COMMISSIONERS

DOCKETED

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

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AZ CORP COMMISSION
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UTILITIES DIVISION STAFF,
Complainant,

DOCKET NO. T-03267A-03-0887

v.

MCLEODUSA TELECOMMUNICATIONS
SERVICES, INC.

Respondent.

PROCEDURAL ORDER

BY THE COMMISSION:

On December 8, 2003, the Arizona Corporation Commission ("Commission") Utilities Division Staff ("Staff") filed a Complaint against McLeodUSA Telecommunications Services, Inc. ("McLeodUSA"). The Staff Complaint alleges that McLeodUSA violated 47 U.S.C. § 252(e) of the Telecommunications Act of 1996 (the "Act") and A.A.C. R14-2-1506(A) and (C) by failing to file certain documents with the Commission that Staff alleges are interconnection agreements between McLeodUSA and Qwest Corporation ("Qwest").

On December 18, 2003, Staff and McLeodUSA filed a Stipulation to extend the time for McLeodUSA to answer the Complaint.

On May 20, 2004, McLeodUSA filed an Answer, denying that Section 252(e) imposes any obligations on McLeodUSA to file interconnection agreements with ILECs, and denying that all of the agreements identified by Staff are interconnection agreements subject to the 1996 Act.

By Procedural Orders dated July 2, 2004, November 19, 2004, January 6, 2005 and February 9, 2005, the Commission convened a series of Procedural Conferences during which the parties reported they were engaging in settlement discussions. At the Procedural Conference held on March 7, 2005, the parties indicated that they should have a written Settlement Agreement filed within 30 days.

1 IT is Commission practice that each party to a settlement agreement shall have at least one
2 witness who will testify at a hearing in favor of the proposed settlement.

3 IT IS THEREFORE ORDERED that a hearing on the proposed settlement will commence on
4 **May 11, 2005**, at 11:00 a.m., or as soon as practicable thereafter, at the Commission's Tucson
5 offices, Room 222, 400 West Congress, Tucson, Arizona.

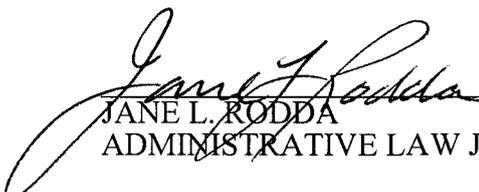
6 IT IS FURTHER ORDERED the parties shall jointly file a written executed settlement
7 agreement by **April 25, 2005**.

8 IT IS FURTHER ORDERED that each party shall reduce to writing and file the testimony of
9 at least one witness in support of the settlement agreement by **April 25, 2005**. Out-of-state witnesses
10 may appear telephonically by requesting such arrangements prior to the hearing.

11 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
12 Communications) continues to apply to this proceeding.

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

15 DATED this 15th day of March, 2005.

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18 
JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

19 Copies of the foregoing mailed/delivered
20 This 15th day of March, 2005 to:

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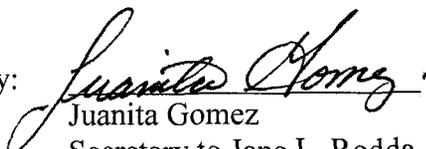
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16
17 By: 
18 Juanita Gomez
Secretary to Jane L. Rodda

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