

ORIGINAL



0000021532

RECEIVED

285

BEFORE THE ARIZONA CORPORATION COMMISSION

2005 JUN 13 P 4:44

COMMISSIONERS

AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

JEFF HATCH-MILLER, Chairman

JUN 13 2005

MARC SPITZER

WILLIAM A. MUNDELL

MIKE GLEASON

KRISTIN K. MAYES

DOCKETED BY

<p>IN THE MATTER OF THE APPLICATION OF VALLEY TELEPHONE COOPERATIVE, INC. FOR AN EXTENSION OF ITS CERTIFICATE OF CONVENIENCE AND NECESSITY IN COCHISE COUNTY</p>	<p>DOCKET NO. T-01847A-05-0171 DOCKET NO. T-01051B-05-0171</p> <p>RESPONSE TO STAFF REPORT</p>
--	---

Valley Telephone Cooperative, Inc. ("Valley") hereby files comments to the Utilities Division Staff Report, which was issued May 27, 2005, in the above-captioned docket. The Staff has recommended the transfer of the extension area that is subject of this docket from Qwest to Valley, subject to four conditions. Valley has no objection to the conditions, which require that: 1) Valley updates its tariffs within thirty days to reflect the transfer of the extension area; 2) Valley will charge its existing rates and charges in the extension area; 3) Valley must apply to extend its Cochise County franchise within thirty days of a Commission Decision; and 4) an updated franchise that includes the extension area must be filed in docket within 365 days of a Commission Decision in this docket.

It is Valley's position that conditions 3 and 4 are unnecessary because the franchise that Cochise County has granted to Valley includes the extension area,

Snell & Wilmer

LLP
LAW OFFICES
One Arizona Center, 400 E. Van Buren
Phoenix, Arizona 85004-2202
(602) 382-6000

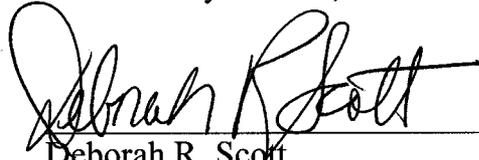
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

therefore no modifications or extensions are required. Valley will supplement the record with a copy of the current franchise.

Therefore, Valley requests that the Commission omit Conditions 3 and 4 from its Decision in this matter, or in the alternative, acknowledge that the filing of the franchise with this Response meets the requirements of Conditions 3 and 4.

RESPECTFULLY SUBMITTED this 13th day of June, 2005.



Deborah R. Scott
Jeffrey W. Crockett
SNELL & WILMER
One Arizona Center
Phoenix, Arizona 85004
(602) 382-6571
Attorneys for Valley Telephone Cooperative

1 ORIGINAL and fifteen (15) copies
2 of the foregoing filed this 25th day
3 of May, 2005, with:

4 Docket Control
5 ARIZONA CORPORATION COMMISSION
6 1200 West Washington Street
7 Phoenix, Arizona 85007

8 A COPY of the foregoing hand-delivered
9 this 13th day of June, 2005, to:

10 Christopher C. Kempley, Chief Counsel
11 Legal Division
12 ARIZONA CORPORATION COMMISSION
13 1200 West Washington Street
14 Phoenix, Arizona 85007

15 Ernest G. Johnson, Director
16 Utilities Division
17 ARIZONA CORPORATION COMMISSION
18 1200 West Washington Street
19 Phoenix, Arizona 85007

20 A COPY of the foregoing mailed
21 this 13th day of June, 2005, to:

22 Norm Curtright, Staff Attorney-Policy and Law
23 QWEST SERVICES CORPORATION
24 4041 North Central Avenue, Suite 1100
25 Phoenix, Arizona 85012

26



1685721.2