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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

DOCKETED

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

JUN 22 2005

DOCKETED BY [Signature]

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AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF  
COMMPARTNERS, LLC FOR A CERTIFICATE  
OF CONVENIENCE AND NECESSITY TO  
PROVIDE COMPETITIVE FACILITIES-BASED  
INTEREXCHANGE AND LOCAL EXCHANGE  
TELECOMMUNICATIONS SERVICES IN THE  
STATE OF ARIZONA.

DOCKET NO. T-04-51A-04-0257

PROCEDURAL ORDER

BY THE COMMISSION:

On April 5, 2004, CommPartners, LLC ("Applicant" or "CommPartners") submitted to the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide facilities-based interexchange and local exchange telecommunications services within the State of Arizona. The application petitioned the Commission for determination that its proposed services should be classified as competitive.

On June 14, 2005, the Commission's Utilities Division Staff ("Staff") filed a Staff Report recommending approval of CommPartners's application subject to certain conditions.

Accordingly, the matter should be set for hearing.

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

IT IS THEREFORE ORDERED that the **hearing** on the above application and petition of Applicant shall commence on **August 11, 2005 at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that Applicant shall publish notice of its filing and the hearing, as stated below, in a newspaper(s) of general circulation in every county in Arizona in which Applicant desires to provide service by July 11, 2005, and shall file Affidavits of Publication with the Commission no later than July 29, 2005.

1 **IN THE MATTER OF THE APPLICATION OF COMMPARTNERS LLC FOR A**  
2 **CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE**  
3 **FACILITIES-BASED INTEREXCHANGE AND LOCAL EXCHANGE SERVICES**  
4 **AND PETITION FOR COMPETITIVE CLASSIFICATION OF PROPOSED**  
5 **SERVICES WITHIN THE STATE OF ARIZONA**  
6 **Docket No. T-04251A-04-0257**

7  
8 CommPartners, LLC ("Applicant") has filed with the Arizona Corporation  
9 Commission ("Commission") an application for a Certificate of Convenience and  
10 Necessity ("Certificate") to provide competitive facilities-based interexchange and  
11 local exchange telecommunications services in the State of Arizona. Applicant will be  
12 required by the Commission to provide this service under the rates and charges and  
13 terms and conditions established by the Commission.

14 The application, report of the Commission's Utilities Division Staff, and any  
15 written exceptions to the staff report prepared by the applicant are available for  
16 inspection during regular business hours at the offices of the Commission located at  
17 1200 West Washington Street, Phoenix, Arizona 85007, and at Applicant, [address].

18 Under appropriate circumstances, interested parties may intervene in the  
19 proceedings and participate as a party. You may have the right to intervene in the  
20 proceeding, or you may make a statement for the record. Intervention shall be in  
21 accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed  
22 on or before **July 18, 2005**. Persons desiring to intervene must file a written motion to  
23 intervene with the Commission and send such motion to the Company or its counsel  
24 and to all parties of record, and which at the minimum, shall contain the following:

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

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

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

A.A.C. R14-3-105 shall govern the granting of motions to intervene. The  
granting of intervention, among other things, entitles a party to present sworn evidence  
at the hearing and to cross-examine other witnesses. However, failure to intervene  
will not preclude any interested person or entity from appearing at the hearing and  
making a statement on their own behalf. The hearing is scheduled to commence on  
**August 11, 2005 at 10:00 a.m.** at the Arizona Corporation Commission, 1200 West  
Washington Street, Phoenix, Arizona 85007. Please check with the Commission for  
any changes to the scheduled hearing date.

If you have any comments, mail them to:

The Arizona Corporation Commission  
Attention Docket Control  
re: CommPartners, LLC  
T-04251A-04-0257  
1200 West Washington Street  
Phoenix, Arizona 85007

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 a reasonable accommodation 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.

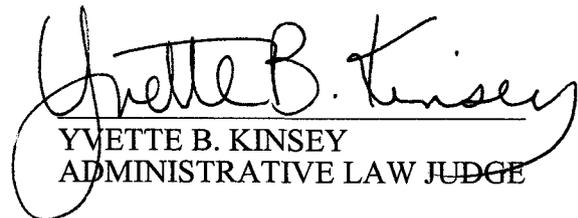
IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before **July 18, 2005**.

IT IS FURTHER ORDERED that any objections to motions to intervene must be filed on or before July 29, 2005.

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

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized Communications) applies to this proceeding as the matter is now set for public hearing.

DATED this 22<sup>nd</sup> day of June, 2005.

  
YVETTE B. KINSEY  
ADMINISTRATIVE LAW JUDGE

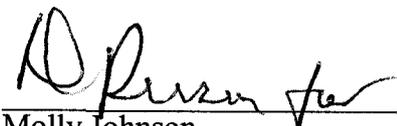
Copies of the foregoing mailed/delivered this 22<sup>nd</sup> day of June, 2005 to:

Kristopher Twomey  
1519 East 14<sup>th</sup> Street, Suite A  
San Leandro, California 94577

Christopher Kempley, Chief Counsel  
Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

Ernest Johnson, Director  
Utilities Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

ARIZONA REPORTING SERVICE, INC.  
2627 N. Third Street, Suite Three  
Phoenix, Arizona 85004-1104

By:   
Molly Johnson  
Secretary to Yvette B. Kinsey