

EXCEPTION ORIGINAL



0000022851

BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL  
Chairman  
JIM IRVIN  
Commissioner  
MARC SPITZER  
Commissioner

Arizona Corporation Commission

DOCKETED

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AZ CORP COMMISSION  
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DOCKET NO. T-03258A-00-0326

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IN THE MATTER OF THE APPLICATION  
OF GTE COMMUNICATIONS  
CORPORATION FOR A COMPETITIVE  
CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY  
AUTHORIZING INTER-EXCHANGE  
FACILITIES-BASED SERVICES AND THE  
CONSTRUCTION AND OPERATION OF A  
COMPETITIVE INTER-EXCHANGE  
LONG DISTANCE  
TELECOMMUNICATIONS SYSTEM  
THROUGHOUT THE STATE OF  
ARIZONA

DOCKET NO. T-03258A-97-0568

IN THE MATTER OF THE APPLICATION  
OF GTE COMMUNICATIONS  
CORPORATION FOR AUTHORITY TO  
OPERATE AS A PROVIDER OF  
ALTERNATIVE OPERATOR SERVICES  
STATEWIDE IN ARIZONA

DOCKET NO. T-03258A-97-0545

IN THE MATTER OF THE APPLICATION  
OF GTE COMMUNICATIONS  
CORPORATION FOR A COMPETITIVE  
CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY  
AUTHORIZING LOCAL EXCHANGE  
SERVICES VIA RESALE AND THE  
CONSTRUCTION AND OPERATION OF A  
COMPETITIVE LOCAL EXCHANGE  
TELECOMMUNICATIONS SYSTEM  
THROUGHOUT THE CURRENT LOCAL  
EXCHANGE OPERATING AREAS IN THE

Snell & Wilmer

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1 STATE OF ARIZONA OF US WEST  
2 COMMUNICATIONS, INC.; AND  
3 CITIZENS UTILITIES COMPANY AND  
AFFILIATES

4 IN THE MATTER OF THE APPLICATION  
5 OF GTE COMMUNICATIONS  
6 CORPORATION FOR A CERTIFICATE OF  
7 PUBLIC CONVENIENCE AND  
NECESSITY TO PROVIDE COMPETITIVE  
INTRASTATE TELECOMMUNICATIONS  
SERVICES AS A RESELLER

DOCKET NO. T-03258A-96-0492 ✓

8  
9 **AMENDED EXCEPTIONS TO THE RECOMMENDED OPINION**  
10 **AND ORDER OF VERIZON SELECT SERVICES INC.**

11 Verizon Select Services Inc., fka GTE Communications Corporation (“Verizon”),  
12 hereby submits its Amended Exceptions to the Recommended Opinion and Order  
13 (“Recommended Order”) filed in the above captioned matters on March 13, 2001. These  
14 exceptions are identical to those filed March 22, 2001, excepting for the correction of  
15 certain typographical and formatting errors. As noted in the March 22nd filing, Verizon  
16 had discussed its original Exceptions with Arizona Corporation Commission  
17 (“Commission”) Utilities Division Staff (“Staff”), which does not object to Verizon’s  
18 suggested changes to the Recommended Order.

19  
20 **I. FINDING OF FACT NO. 17(h) IN THE RECOMMENDED ORDER**  
21 **IS INCONSISTENT WITH STAFF’S RECOMMENDATIONS HEREIN**  
**AND WITH THE OTHER FINDINGS OF THE RECOMMENDED ORDER**

22 At hearing, Staff and Verizon agreed that various filings related to the provision of  
23 local exchange service should be triggered by the Commission’s approval of an  
24 interconnection and/or resale agreement between Verizon and an incumbent local  
25 exchange carrier (“ILEC”), or, alternatively, by its actual provision of local service, rather  
26 than by entry of the Recommended Order. This concept is, in fact, adopted in Finding of

1 Fact No. 17(a), but was not reflected in Finding of Fact No. 17(h) ["FOF 17(h)"]. Since  
2 911 service is almost universally provided by ILECs as part of their interconnection  
3 and/or resale agreements with competitive carriers such as Verizon, and since Verizon  
4 cannot, as a practical matter, begin providing local exchange service until it has an  
5 interconnection and/or resale agreement, Verizon would be unable to comply with the  
6 literal requirement of FOF 17(h). Verizon requests that FOF 17(h) be modified to read:

7 Verizon be ordered to certify, through the 911 service provider  
8 in the area in which it intends to provide service, that all issues  
9 associated with the provision of 911 service have been  
10 resolved with the emergency service providers within 30 days  
11 of the approval by the Commission of an interconnection  
12 and/or resale agreement between Verizon and such 911  
13 service provider(s).

## 14 **II. FINDING OF FACT NO. 18(a)**

15 Finding of Fact No. 18(a) ["FOF 18(a)"] provides for the filing of Verizon's  
16 consolidated long-distance and AOS tariff, as modified by the Recommended Order,  
17 within 30 days of the effective date of the Recommended Order. No filing date is set for  
18 Verizon's local exchange tariff. Consistent with the balance of the Recommended Order,  
19 Verizon suggests the following additional sentence be added to FOF 18(a):

20 Verizon shall file its authorized local exchange tariff, as  
21 modified herein, within 30 days of the Commission's approval  
22 of an interconnection and/or resale agreement between  
23 Verizon and an incumbent local exchange carrier.

## 24 **III. CONCLUSION**

25 Verizon is gratified to finally receive a favorable Recommended Order in this  
26 proceeding. With the minor changes noted above, both of which are acceptable to Staff,  
Verizon urges the Commission's adoption of the Recommended Order.

1 RESPECTFULLY SUBMITTED this 23rd day of March, 2001.

2 SNELL & WILMER

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4  
5 By Thomas L. Mumaw  
6 Thomas L. Mumaw, Esq

7 Attorneys for Verizon Select Services Inc.

8 ORIGINAL AND TEN (10) copies  
9 filed this 23rd day of March, 2001, with:

10 Docket Control  
11 Arizona Corporation Commission  
12 1200 West Washington Street  
13 Phoenix, Arizona 85007

14 COPIES mailed/hand delivered/faxed this  
15 22nd day of March 2001, to:

16 Hon. Stephen Gibelli  
17 Administrative Law Judge  
18 ARIZONA CORPORATION COMMISSION  
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