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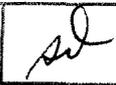
BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

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2 WILLIAM A. MUNDELL
CHAIRMAN
3 JIM IRVIN
COMMISSIONER
4 MARC SPITZER
COMMISSIONER
5

DOCKETED BY 

AZ CORP COMMISSION
DOCUMENT CONTROL

6 IN THE MATTER OF THE APPLICATION OF
NETWORK OPERATOR SERVICES, INC. FOR A
7 CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE COMPETITIVE
8 RESOLD INTEREXCHANGE
TELECOMMUNICATIONS SERVICES, EXCEPT
9 LOCAL EXCHANGE SERVICES, AND
ALTERNATIVE OPERATOR SERVICES

DOCKET NO. T-02679A-92-0190

PROCEDURAL ORDER

10 **BY THE COMMISSION:**

11 On July 7, 1992, Network Operator Services, Inc. ("NOS" or "Applicant") filed with Docket
12 Control of the Arizona Corporation Commission ("Commission") an application for a Certificate of
13 Convenience and Necessity ("Certificate") to provide competitive resold interexchange
14 telecommunications services, except local exchange services, and alternative operator services within
15 the State of Arizona.

16 On March 20, 2001, Commission Staff ("Staff") filed a Staff Report recommending approval
17 of NOS's application subject to a number of conditions. Accordingly, the matter should be set for
18 hearing.

19 Pursuant to Commission rules, Applicant is required to publish notice of its filing in
20 newspapers in all counties where service is to be provided. The record shows that Applicant has not
21 filed a Notice of Filing Affidavits of Publication that would indicate compliance with the publishing
22 requirement.

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

25 IT IS THEREFORE ORDERED that the hearing on the above application and petition of
26 Applicant shall commence on **June 19, 2001 at 9:00 a.m.**, or as soon thereafter as is practical, at the
27 Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.
28

1 IT IS FURTHER ORDERED that Applicant shall publish notice of its filing, as stated below,
 2 in newspapers in every county in Arizona in which Applicant desires to provide service by May 4,
 3 2001, and shall file Affidavits of Publication with the Commission no later than May 18, 2001.

4 **NOTICE OF APPLICATION FOR A CERTIFICATE**
 5 **OF CONVENIENCE AND NECESSITY TO PROVIDE COMPETITIVE RESOLD**
 6 **INTEREXCHANGE TELECOMMUNICATIONS SERVICES, EXCEPT LOCAL**
 7 **EXCHANGE SERVICES, AND ALTERNATIVE OPERATOR SERVICES BY NETWORK**
 8 **OPERATOR SERVICES, INC.**

9 Network Operator Services, Inc. ("Applicant") has filed with the Arizona
 10 Corporation Commission ("Commission") an application for a Certificate of
 11 Convenience and Necessity ("Certificate") to provide competitive resold
 12 interexchange telecommunications services, except local exchange service, and
 13 alternative operator services in the State of Arizona. Applicant will be required by the
 14 Commission to provide this service under the rates and charges and terms and
 15 conditions established by the Commission.

16 The application, report of the Commission's Utilities Division Staff, and any
 17 written exceptions to the staff report prepared by the applicant are available for
 18 inspection during regular business hours at the offices of the Commission located at
 19 1200 West Washington Street, Phoenix, Arizona 85007, and at Applicant, [address].

20 Under appropriate circumstances, interested parties may intervene in the
 21 proceedings and participate as a party. You may have the right to intervene in the
 22 proceeding, or you may make a statement for the record. Intervention shall be in
 23 accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed
 24 on or before June 1, 2001 by 12 noon. Persons desiring to intervene must file a
 25 written motion to intervene with the Commission and send such motion to the
 26 Company or its counsel and to all parties of record, and which at the minimum, shall
 27 contain the following:

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

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
 June 19, 2001 at 9 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: Network Operator Services, Inc.
T-02679A-92-0190
1200 West Washington Street
Phoenix, Arizona 85007

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All written comments should be received by June 19, 2001.

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 accommodations such as sign language interpreter, as well as request this document in an alternative format, by contacting Shelly Hood, ADA Coordinator, voice phone number 602/542-3931, E-Mail shood@cc.state.az.us. 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 June 1, 2001 **by 12 noon.**

IT IS FURTHER ORDERED that any objections to motions to intervene must be filed on or before June 8, 2001.

IT IS FURTHER ORDERED that all intervenors shall file specific disagreements/comments, if any, regarding the application and Staff Report on or before June 15, 2001 **by 12:00 noon.**

IT IS FURTHER ORDERED that the Applicant shall file specific disagreements/comments, if any, to the Staff report on or before June 15, 2001 **by 12:00 noon.**

IT IS FURTHER ORDERED that all intervenors, Staff, and Applicant shall file on or before June 15, 2001 **by 12:00 noon**, a list of witnesses and subject area(s) to be covered at the hearing in this matter.

IT IS FURTHER ORDERED that discovery shall be as permitted by law and the rules and regulations of the Commission, except that every effort shall be made to respond within 48 hours of receipt; the response time may be extended by mutual agreement of the parties involved if the request requires an extensive compilation effort.

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1 IT IS FURTHER ORDERED that in the alternative to filing a written motion to compel
2 discovery, any party seeking discovery may telephonically contact the Commission's Hearing
3 Division to request a date for a procedural hearing to resolve the discovery dispute; that upon such
4 request, a procedural hearing will be convened as soon as practicable; and that the party making such
5 a request shall forthwith contact all other parties to advise them of the hearing date and shall at the
6 hearing provide a statement confirming that the other parties were contacted.¹

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

9 DATED this 3rd day of April, 2001.



STEPHEN GIBELLI
ADMINISTRATIVE LAW JUDGE

13 Copies of the foregoing mailed/delivered
14 this 3rd day of April, 2001 to:

15 Lance Steinhart, Attorney at Law
16 6455 East Johns Crossing, Suite 285
17 Duluth, Georgia 30097

18 Linda Martin, Vice President
19 Network Operator Services, Inc.
20 P.O. Box 3529
21 Longview, Texas 75606

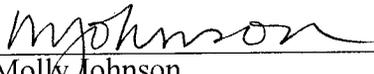
22 Christopher Kempley, Chief Counsel
23 Legal Division
24 ARIZONA CORPORATION COMMISSION
25 1200 West Washington Street
26 Phoenix, Arizona 85007

27 Deborah Scott, Director
28 Utilities Division
29 ARIZONA CORPORATION COMMISSION
30 1200 West Washington Street
31 Phoenix, Arizona 85007

32 ...
33 ...

34 ¹ The parties are encouraged to attempt to settle discovery disputes through informal, good-faith negotiations
35 before seeking Commission resolution of the controversy.

1 ARIZONA REPORTING SERVICE, INC.
2 2627 N. Third Street, Suite Three
3 Phoenix, Arizona 85004-1104

4 By: 
5 Molly Johnson
6 Secretary to Stephen Gibelli
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