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WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

DOCKETED

2001 MAY -2 A 8: 35

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AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY *sd*

IN THE MATTER OF THE APPLICATION OF
VISTA VOICE & DATA, INC. FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE COMPETITIVE
RESOLD INTEREXCHANGE
TELECOMMUNICATIONS SERVICES

DOCKET NO. T-03998A-01-0198

PROCEDURAL ORDER

BY THE COMMISSION:

On March 5, 2001, Vista Voice & Data, Inc. ("Applicant" or "Vista") filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide competitive resold interexchange telecommunications services as a reseller within the State of Arizona.

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

On April 17, 2001, Commission Staff ("Staff") filed a Staff Report recommending approval of Vista's application subject to some conditions.

Pursuant to A.R.S. § 40-282, the Commission may act on an application for a Certificate to provide resold telecommunications services without a hearing, or with a hearing if one is requested by any party.

Pursuant to A.A.C. R14-2-1106 and R14-2-1108, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that Vista shall file a letter with the Commission listing a current address, not a post office box on or before **June 8, 2001**.

IT IS FURTHER ORDERED that Vista shall file a letter with the Commission listing a toll free telephone number that its customers may use to contact Vista on or before **June 8, 2001**.

1 IT IS FURTHER ORDERED that Vista shall file with the Commission written exceptions, if
2 any, to the Staff Report and any request for hearing on or before **July 5, 2001**.

3 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-2-105,
4 except that all motions to intervene must be filed with the Commission on or before **July 5, 2001**.

5 IT IS FURTHER ORDERED that Vista shall publish notice, as stated below, in newspapers
6 in every county in Arizona in which Vista desires to provide service on or before **May 31, 2001**:

7 **NOTICE OF APPLICATION FOR A CERTIFICATE**
8 **OF CONVENIENCE AND NECESSITY TO PROVIDE COMPETITIVE RESOLD**
9 **INTEREXCHANGE TELECOMMUNICATIONS SERVICES BY**
10 **VISTA VOICE & DATA, INC.**

11 Vista Voice & Data, Inc. ("Applicant") has filed with the Arizona Corporation
12 Commission ("Commission") an application for a Certificate of Convenience and
13 Necessity ("Certificate") to provide competitive resold interexchange
14 telecommunications services in the State of Arizona. Applicant will be required by the
15 Commission to provide this service under the rates and charges and terms and conditions
16 established by the Commission.

17 A.R.S. § 40-282 provides that the Commission may act on an application for a
18 Certificate to provide resold telecommunications services without a hearing, or with a
19 hearing, if one is requested by any party. Applicant or any other party must request a
20 hearing by July 5, 2001, or the Commission will rule on the application without a
21 hearing.

22 The application, report of the Commission's Utilities Division Staff, and any
23 written exceptions to the staff report prepared by the applicant are available for
24 inspection during regular business hours at the offices of the Commission located at 1200
25 West Washington Street, Phoenix, Arizona 85007, and at Applicant's address, [list
26 Vista's address where such documents can be viewed].

27 Under appropriate circumstances, interested parties may intervene in the
28 proceedings and participate as a party. 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 5, 2001.
You may have the right to intervene in the proceeding, or you may make a statement for
the record. If you have any comments, mail them to:

The Arizona Corporation Commission
Attention Docket Control
re: Vista Voice & Data, Inc.
T-03998A-01-0198
1200 West Washington Street
Phoenix, Arizona 85007

All comments should be received by July 5, 2001.

If you have any questions about this application or have any objections to its
approval, you may contact the Consumer Services Section of the Commission at 1200
West Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

1 The Commission does not discriminate on the basis of disability in admission to
2 its public meetings. Persons with a disability may request a reasonable accommodations
3 such as sign language interpreter, as well as request this document in an alternative
4 format, by contacting Shelley Hood, ADA Coordinator, voice phone number 602/542-
5 0838, E-Mail shood@cc.state.az.us. Requests should be made as early as possible to
6 allow time to arrange the accommodation.

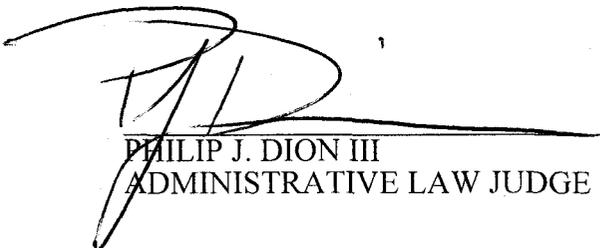
7 IT IS FURTHER ORDERED that Vista shall file with the Commission Affidavits of
8 Publication indicating that it has published notice pursuant to Commission rules on or before **June**
9 **15, 2001.**

10 IT IS FURTHER ORDERED that the failure of Vista to comply with any or all of the
11 Ordering paragraphs set forth in this Procedural Order within the timeframes specified may result in
12 the denial of Vista's application.

13 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended
14 pursuant to Rule 6(a) or (e) of the Arizona Rules of Civil Procedure.

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

17 DATED this 2nd day of May, 2001.

18 
19 PHILIP J. DION III
20 ADMINISTRATIVE LAW JUDGE

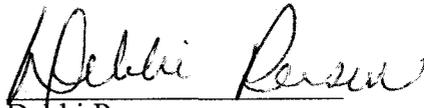
21 Copies of the foregoing mailed
22 This 2nd day of May, 2001 to:

23 GALLAGHER & KENNEDY
24 P.O. Box 61504
25 Phoenix, Arizona 85082
26 Attorneys for Vista Voice & Data Inc.

27 Charles J. Davis
28 VISTA VOICE & DATA, INC.
P.O. Box 25459
Phoenix, AZ 85002-5459

1 Christopher Kempley, Chief Counsel
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Legal Division
2 1200 West Washington
Phoenix, AZ 85007
3

4 Deborah Scott, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
5 1200 West Washington Street
Phoenix, Arizona 85007
6

7
8 By: 
Debbi Person
Secretary to Philip J. Dion III
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