

KATZ, KUTTER, HAIGLER, ALDERMAN, BRYA

PROFESSIONAL ASSOCIATION

ATTORNEYS AND COUNSELORS AT LAW

www.katzlaw.com



0000030445

Orlando Office

Suite 900
111 North Orange Avenue
ORLANDO, FL 32801
(407) 841-7100
fax (407) 648-0660

Tallahassee Office

12th Floor
106 East College Avenue
TALLAHASSEE, FL 32301
(850) 224-9634
fax (850) 222-0103

Miami Office

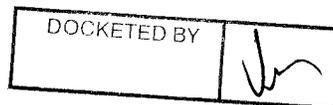
Suite 409
2999 NE 191st Street
AVENTURA, FL 33180
(305) 932-0996
fax (305) 932-0972

Washington, DC Office

Suite 750
801 Pennsylvania Avenue, NW
WASHINGTON, D.C. 20004
(202) 393-1132
fax (202) 624-0659

Arizona Corporation Commission
DOCKETED

OCT 24 2000



AZ CORP COMMISSION
DOCUMENT CONTROL

2000 OCT 24 P 12:00

RECEIVED

October 23, 2000

FEDERAL EXPRESS

Docket Control Center
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

Re: Certificate of Convenience and Necessity Application for Buehner-Fry, Inc. d/b/a DirectDial USA ("BFI"), Docket No. T-03299A-96-0618

Dear Docket Control Center:

Pursuant to the Procedural Order dated October 2, 2000, enclosed for filing in Docket No. T-03299A-96-0618 on behalf of BFI are the original and ten (10) copies of BFI's Motion for Extension of Time.

Please acknowledge receipt of this transmittal by returning a date-stamped copy of the enclosed cover letter duplicate in the return envelope provided for that purpose.

Please contact me if you have any questions. Thank you for your assistance in this matter.

Sincerely,

Charles J. Pellegrini

CJP:plk
Enclosures (10 copies/S.A.S.E.)

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE
APPLICATION OF BUEHNER-FRY,
INC. D/B/A DIRECTDIAL USA FOR A
CERTIFICATE OF CONVENIENCE
AND NECESSITY TO PROVIDE
COMPETITIVE INTRASTATE
TELECOMMUNICATIONS SERVICES
AS A RESELLER EXCEPT LOCAL
EXCHANGE SERVICES

DOCKET NO. T-03299A-96-0618

MOTION FOR EXTENSION OF TIME

COMES NOW Buehner-Fry, Inc. d/b/a DirectDial USA ("Buehner-Fry"), and files this Motion for Extension of Time, stating in support thereof the following.

1. On December 18, 1996, Buehner-Fry filed an application for a Certificate of Convenience and Necessity to provide competitive intrastate telecommunications services as a reseller, except local exchange services, within the State of Arizona.
2. On August 29, 2000, the Court of Appeals, Division One, issued its Opinion in Cause No. 1 CA-CV 98-0672, in which it determined that pursuant to the Arizona constitution the Commission must determine the fair value rate base ("FVRB") of all public service corporations in Arizona prior to setting their rates and charges.
3. On October 2, 2000, the Commission issued a Procedural Order in this proceeding, in which it ordered Buehner-Fry to file its proposed FVRB and other related information within 30 days of the Procedural Order.
4. Buehner-Fry has no property of consequence within Arizona that as a public service corporation it uses in the provision of telecommunications services in Arizona. Its revenues derived from its Arizona operations, moreover, have to date been de minimis. These circumstances would seem to put Buehner-Fry outside of the traditional framework for determining just and reasonable rates on the basis of FVRB.

5. Thus, Buehner-Fry has not been able to determine how to respond in an appropriate way to the Procedural Order; furthermore, it does not believe that it will be able to do so in order to make the filing by the required time.
6. Accordingly, Buehner-Fry requests that the Commission grant it an extension of time until February 5, 2001, to respond to the Procedural Order.
7. Buehner-Fry represents that its request for an extension of time is made in good faith and for good cause as being necessary for it respond to the Procedural Order in a way that will be consistent with the Court of Appeals' Opinion and with the Commission's expectations.
8. Buehner-Fry, moreover, believes that the extension of time it requests prejudices no one and is not inconsistent with the public's interests.

WHEREFORE, Buehner-Fry, Inc. d/b/a as DirectDial USA respectfully requests the Commission to grant it an extension of time until February 5, 2001, to respond to the Commission's Procedural Order dated October 2, 2000.

Submitted this 23rd day of October, 2000.



Charles J. Pellegrini
Katz, Kutter, Haigler, Alderman,
Bryant & Yon, P.A.
106 East College Street, 12th Floor
Tallahassee, Florida 32301
Telephone: 850 224 9634
Facsimile: 850 224 0402
email: cjpellegrini@katzlaw.com

Attorney for Buehner-Fry, Inc. d/b/a
as DirectDial USA

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S.
Mail this 23rd day of October 2000, to the following:

Alicia Grantham
Administrative Law Judge
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

Maureen Arnold
QWEST CORPORATION
3033 North Third Street, Suite 1010
Phoenix, Arizona 85012

Timothy Berg
FENNEMORE CRAIG
3003 North Central Avenue, Suite 2600
Phoenix, Arizona 85012

Lynn Farmer, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

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


Charles J. Pellegrini