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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

DOCKETED BY []

IN THE MATTER OF THE APPLICATION OF
AFFORDABLE VOICE COMMUNICATIONS,
INC. FOR A CERTIFICATE OF CONVENIENCE
AND NECESSITY TO PROVIDE COMPETITIVE
RESOLD INTEREXCHANGE
TELECOMMUNICATIONS SERVICES, EXCEPT
LOCAL EXCHANGE SERVICES

DOCKET NO. T-0399⁵ A-01-0145

PROCEDURAL ORDER

BY THE COMMISSION:

On February 20, 2001, Affordable Voice Communications, Inc. ("Applicant" or "AVC") filed with Docket Control of the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide competitive resold interexchange telecommunications services, except local exchange services, within the State of Arizona.

On March 20, 2001, the Commission's Utilities Division Staff ("Staff") filed a Staff Report in this matter.

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.

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 Commission rules, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that AVC shall file written exceptions to the Staff Report or request that a hearing be set by July 6, 2001.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-2-105,

1 except that all motions to intervene must be filed on or before June 29, 2001.

2 IT IS FURTHER ORDERED that AVC shall publish notice, as stated below, in newspapers
3 in every county in Arizona in which AVC desires to provide service by **May 17, 2001**:

4 **NOTICE OF APPLICATION FOR A CERTIFICATE**
5 **OF CONVENIENCE AND NECESSITY TO PROVIDE COMPETITIVE RESOLD**
6 **INTEREXCHANGE TELECOMMUNICATIONS SERVICES BY**
7 **AFFORDABLE VOICE COMMUNICATIONS, INC.**

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

14 A.R.S. § 40-282 provides that the Commission may act on an application for a
15 Certificate to provide resold telecommunications services without a hearing, or with a
16 hearing, if one is requested by any party. Applicant or any other party must request a
17 hearing by July 6, 2001, or the Commission will rule on the application without a
18 hearing.

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

23 Under appropriate circumstances, interested parties may intervene in the
24 proceedings and participate as a party. Intervention shall be in accordance with A.A.C.
25 R14-3-105, except that all motions to intervene must be filed on or before June 29, 2001.
26 You may have the right to intervene in the proceeding, or you may make a statement for
27 the record. If you have any comments, mail them to:

28 The Arizona Corporation Commission
Attention Docket Control
re: Affordable Voice Communications, Inc.
T-03996A-01-0145
1200 West Washington Street
Phoenix, Arizona 85007

All comments should be received by July 6, 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.

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-
0838, E-Mail shood@cc.state.az.us. Requests should be made as early as possible to
allow time to arrange the accommodation.

1 IT IS FURTHER ORDERED that AVC shall file Affidavits of Publication indicating that it
2 has published notice pursuant to Commission rules by **May 31, 2001**.

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

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

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

10 DATED this 3rd day of April, 2001.

11
12 
13 _____
14 STEPHEN GIBELLI
15 ADMINISTRATIVE LAW JUDGE

16 Copies of the foregoing mailed this
17 3rd day of April, 2001 to:

18 Charles R. Combs
19 Affordable Voice Communications, Inc.
20 1000 North Main Street
21 Las Cruces, New Mexico 88001-1126

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
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

By: 
Molly Johnson
Secretary to Stephen Gibelli