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BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

AZ CORP COMMISSION
DOCUMENT CONTROL
Arizona Corporation Commission

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JUL 12 2001

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IN THE MATTER OF MIDVALE TELEPHONE
EXCHANGE, INC.'S APPLICATION FOR
AUTHORITY TO INCREASE RATES AND FOR
DISBURSEMENT FROM THE ARIZONA USF

T-02532A-00-0512

**CITIZENS' RESPONSE TO
MIDVALE'S POST-HEARING
BRIEF**

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Citizens Communications Company submits the following response to
Midvale Telephone Exchange, Inc.'s post-hearing brief filed on June 29, 2001. Citizens
intervened in this docket for the limited purpose of opposing Midvale's request for authority
to provide extended area service ("EAS") between Midvale's Cascabel exchange and
Qwest's Benson and San Manuel exchanges. In its post-hearing brief, Midvale did not raise
any issues or facts, or cite any law supporting it EAS proposal.

Midvale's failure to address EAS in its post-hearing brief is telling and
Midvale's attorney correctly summarized the EAS issues at the May 21, 2001 hearing: "I
think the EAS record is clear enough." See 5/21/01 Hearing Transcript, p. 94. The factual
record is clear that Midvale's EAS proposal should be denied because Midvale failed to
establish any "community of interest" between Cascabel and Benson/San Manuel
warranting EAS. Further, the underlying record establishes that illegal arbitrage through
EAS bridging is a substantial problem associated with Midvale's EAS proposal. Finally,

1 the record is clear that Midvale's EAS proposal would force Qwest's customers (Citizens'
2 future customers) to subsidize the cost of EAS for Cascabel.

3 The Commission should deny Midvale's EAS proposal for these reasons and
4 the proposed opinion and order in this matter should include language denying Midvale's
5 EAS proposal.

6 RESPECTFULLY SUBMITTED this 12 day of July, 2001.

7 GALLAGHER & KENNEDY, P.A.

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9
10 By 

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