

EXCEPTION

OPEN MEETING AGENDA ITEM



0000035046

ORIGINAL RECEIVED

BEFORE THE ARIZONA CORPORATION COMMISSION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

JEFF HATCH-MILLER
Chairman
WILLIAM MUNDELL
Commissioner
MARK SPITZER
Commissioner
MIKE GLEASON
Commissioner
KRISTIN MAYES
Commissioner

2005 NOV -3 P 3:10
AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF DISSEMINATION OF
INDIVIDUAL CUSTOMER PROPRIETARY
NETWORK INFORMATION BY
TELECOMMUNICATIONS CARRIERS.

DOCKET NO. RT-00000J-02-0066
**QWEST CORPORATION'S
EXCEPTIONS TO ACC OPINION
AND ORDER**

Pursuant to A.A.C. R14-3-110, Qwest Corporation ("Qwest") files the following exceptions to the recommended opinion and order issued on October 25, 2005 (the "ALJ Opinion and Order").

Qwest takes exception to the ALJ Opinion and Order for the host of reasons it has put on the record since March 2002, over three and a half years ago. The Opinion and Order fails to take into consideration the substantial record evidence in this proceeding, current prevailing law, or a meaningful public policy cost/benefit analysis. As Qwest said in October of 2004, in responding to Staff's proposed rules – that are not significantly amended by the ALJ Opinion and Order:

Barring any demonstration of carrier abuse of [Customer Proprietary Network Information] CPNI, or concomitant public harm, burdening carriers with complex, costly and unduly burdensome bureaucratic requirements with respect to the use of customer information – requirements not broadly or uniformly required of other commercial enterprises in Arizona – is arbitrary and advances no public good.^[1]

¹ Qwest's Exceptions to Arizona Corporation Commission Staff's Proposed CPNI Rule," *In the Matter of Dissemination of Individual Customer Proprietary Network Information by Telecommunications Carriers*, Docket No. RT-00000J-02-0066, filed Oct. 8, 2004, at 1.

1 Qwest stands by that position with respect to the ALJ Opinion and Order. Nothing
2 in that Opinion and Order corrects the inequities, the costliness or the unlawfulness of the
3 Staff's previous proposals. Moreover, the Opinion and Order ignores the public benefits
4 of allowing CPNI regulation to proceed pursuant to a single set of regulatory principles,
5 albeit federal, **as has been the case for almost a decade** with no apparent harm to
6 Arizona telecommunications subscribers.

7 As the ALJ Opinion and Order notes, this proceeding commenced in January of
8 2002, some five to six years after the passage of the federal Telecommunications Act of
9 1996 that established legal guidelines for the use of CPNI both interstate or intrastate.²
10 Since the commencement of this proceeding, another three – almost four years – have
11 passed. During that time, Staff of the Commission has promulgated a number of CPNI
12 rule iterations. But each time, Staff has failed to demonstrate that carriers were abusing
13 CPNI in Arizona or that the public was being harmed by the absence of state rules
14 regarding CPNI.

15 The ALJ Opinion and Order shares the deficiency of prior Staff initiatives. While
16 Qwest has no doubt that the protection of an individual's privacy is a legitimate
17 governmental interest, governmental protective action must align with the problem or
18 harm sought to be alleviated. Such is not the case with the Staff's proposed rules. The
19 Opinion and Order cites as "support" for the foundation of Staff's proposed rules – rules
20 that impinge on carrier speech and customers' receipt of truthful information -- actions
21 occurring in 2001 that resulted in expressions of "concern" by both Commissioners and
22 consumers.³ The ALJ Opinion and Order points to no evidence quantifying the volume

23 ² The Federal Communications Commission ("FCC") has confirmed that 47 U.S.C. § 222 extends to intrastate
24 CPNI, and that the FCC's rules cover intrastate CPNI, as well. *CPNI Order*, 13 FCC Rcd. 8061, 8073-78 ¶¶ 14-20
25 (1998); *CPNI Reconsideration Order*, 14 FCC Rcd. 14409, 14465-67 ¶¶ 112-14 (1999); *July 2002 CPNI Order*, 17
FCC Rcd. 14860, 14890 ¶ 69, 14891-92 ¶ 71 (2002).

26 ³ ALJ Opinion and Order, Appendix B (Summary of the Comments Made Regarding the Rule and the Agency
Response to Them), pages 1, 11.

1 of expressed concern as compared to the number of telecommunications subscribers in
2 the state of Arizona (the Opinion and Order references only generally a “firestorm” and
3 “many” expressed concerns). Nor does that Opinion and Order attempt to reconcile the
4 expressed concern against the record evidence of how individuals approach informational
5 privacy matters generally, i.e., that those most vocal about the matter in 2001 and
6 subsequently are mostly likely individuals that fairly can be categorized as privacy
7 “fundamentalists,” a position not necessarily shared by the majority of individuals.⁴
8 Finally, the ALJ Opinion and Order neglects to address the lack of alignment between the
9 current federal rule and the Staff’s proposed rule, and the significance of that from a
10 federal preemption perspective.⁵ Carriers’ resources and energies will be diverted from
11 serving Arizona customers – customers that should be the focus of their energies – if they
12 must pursue federal involvement in a preemption analysis. This would not be in the
13 public interest.

14
15
16 ⁴ See Qwest Corporation’s Notice of Filing CPNI Comments, *In the Matter of Dissemination of Individual Customer*
17 *Proprietary Network Information by Telecommunications Carriers*, Docket No. RT-00000J-02-0066, filed Mar. 29,
18 2002, at pages 11-12 and nn.6-13 and Attachments (thereto) 14 and 15; and Qwest Corporation’s Notice of Filing
19 Reply Comments Re: CPNI, *In the Matter of Dissemination of Individual Customer Proprietary Network*
20 *Information by Telecommunications Carriers*, Docket No. RT-00000J-02-0066, filed Apr. 29, 2002, at pages 10-11,
21 nn. 19-21. The ALJ Opinion and Order cites to a Harris Interactive survey in support of Staff’s proposed rules (ALJ
22 Opinion and Order, Appendix B, page 11) but nowhere analyzes other substantial survey evidence supporting the
23 position of telecommunications carriers. Moreover, the aspect of the Harris Interactive survey referenced in support
24 of the Staff’s proposed rule deals with “provid[ing] . . . information to other companies.” *Id.* Qwest cited to this
25 observation in its earlier-filed comments. Qwest Corporation’s Notice of Filing Reply Comments Re: CPNI, *id.* at 6
26 and n. 11. But this is not a relevant standard when assessing the communication of information within a corporate
family and burdening that communication with an opt-in customer behavior component.

21 ⁵ Qwest addressed this issue in Qwest’s Notice of Filing Comments to the Staff’s Second Draft Proposed CPNI
22 Rules, *In the Matter of Dissemination of Individual Customer Proprietary Network Information by*
23 *Telecommunications Carriers*, Docket No. RT-00000J-02-0066, filed Aug. 30, 2004, at 6 and n.7. Qwest noted
24 there that the FCC had modified its preemption decision over time. Most recently, in July 2002, the FCC found that
25 a state record might support somewhat different CPNI rules, and mentioned as an example an Arizona proposed
26 verification requirement. *July 2002 CPNI Order*, 17 FCC Rcd. at 14891 ¶ 71. That verification proposal was
materially different from that currently reflected in the Staff’s proposed rules. The Arizona verification proposal
referenced by the FCC in 2002 required only a mailing by a carrier capturing the CPNI approval status associated
with the customer. While a costly (and Qwest maintains unnecessary) regulatory mandate, the verification process
required no response back from the customer as does the current proposed rule.

1 The deficiencies associated with the ALJ Opinion and Order stem in large part
2 from its erroneous determination that the Staff's proposed rules are permissible time,
3 place and manner restrictions. But the rules go far beyond that.⁶ Those rules substitute a
4 substantive opt-in CPNI verification requirement for a substantive opt-in CPNI approval
5 requirement, pure and simple.⁷ The left hand (the verification requirement) totally
6 depletes any advantage the rules grant (an opt-out alternative) with the right hand. In this
7 context, the ALJ Opinion and Order is incorrect as a matter of law that the Staff's
8 proposed rules are narrowly tailored. Calling for, as those rules do, an opt-in verification
9 program that amounts to a CPNI opt-in approval regime in sheep's clothing violates the
10 First Amendment rights of carriers and customers in the state of Arizona.⁸

11 The ALJ Opinion and Order endorses the following continuing infirmities with the
12 proposed rules:

13
14 ⁶ ALJ Opinion and Order, Appendix B, pages 2, 11-12.

15 ⁷ As Qwest pointed out previously, "The clear relationship [between the opt-in verification rule and the previous
16 opt-in CPNI approval rules] is obvious from the fact that the Staff edited a portion of one of its earlier-proposed
17 rules outlining the requirements for written authorization to use CPNI by simply striking the word 'authorization'
and substituting the word 'verification.' . . . The burden on carriers is no less severe by the change in nomenclature
or process." Qwest's Notice of Filing Comments to the Staff's Second Draft Proposed CPNI Rules, at 5 and n.6.

18 ⁸ *U S WEST v. FCC*, 182 F.3d 1224, 1239 (10th Cir. 1999). Compare *Verizon v. Showalter*, 282 F. Supp.2d 1187,
19 1193 (W.D. Wash. 2003). There is no reason to assume the Ninth Circuit would rule differently than did the Tenth
20 Circuit on this matter. In *United Reporting Publishing Corp. v. Los Angeles Police Department*, 146 F.3d 1133 (9th
21 Cir. 1998), rev'd sub nom. *Los Angeles Police Dep't. v. United Reporting Publishing Corp.*, 528 U.S. 32 (1999), the
22 Ninth Circuit questioned whether a restriction on speech not directly incorporated into commercial solicitations
23 should be analyzed under a "commercial speech" or some higher standard. While deciding, ultimately, to apply a
commercial speech approach, finding that there was a substantial government interest in withholding arrestee name
and address information, but holding that the challenged statute failed to advance that government interest in a direct
and material manner (id. at 1139-40). The Supreme Court reversed the Ninth Circuit on the theory that the
information was in the possession of the government and it could determine to whom and under what circumstances
the information should be disclosed.

24 Additionally, the ALJ Opinion and Order states that, under the Arizona constitution, "the Commission has
25 jurisdiction to enact" the proposed rules, and that such action is in line with Arizona statutes pertaining to the
26 Commission. But Qwest believes Arizona law (both judicial and legislative) is at odds with that conclusion. See
Qwest Corporation's Notice of Filing CPNI Comments, *In the Matter of Dissemination of Individual Customer
Proprietary Network Information by Telecommunications Carriers*, Docket No. RT-00000J-02-0066, filed Mar. 29,
2002, at pages 9-11 (addressing the Arizona constitution and specific Arizona statutes).

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- The rules continue to overstate the scope of CPNI as covering “all information related to specific calls initiated or received by a customer” (Rule R14-2-2105(A)(4)).⁹ The word “all” overstates what information is considered CPNI under the federal statute and rules.
 - The government mandate that carriers engage in speech that might be untrue or misleading.¹⁰ Carriers should not have to tell their customers that failure to approve use of CPNI “will not affect the provision of any services to which the customer subscribes” when that might not be true. For this reason, the FCC amended its rule (which previously had the infirm language) to allow carriers to “provide a brief statement, in clear and neutral language, describing consequences directly resulting from the lack of access to CPNI.” While the ALJ was, apparently, not convinced and prefers Staff’s proposed language, nowhere is there an analysis that the preferred statement might not be true or accurate. This lack of analysis is fatal to the adoption of the rule as proposed by Staff.
 - Most problematical, however, is that the ALJ Opinion and Order finds the Staff’s proposed rules constitutionally sound (the opt-in verification requirement in particular)¹¹ with an assessment strewn with legally-significant phrasing but no meaningful analysis. For example, while the ALJ Opinion and Order states that the proposed rules “advance the state’s concerns,” it fails to articulate what the substantial government interest is supporting the rules beyond mitigating individual’s “concerns” within the context of responsible carrier treatment of customer information in Arizona. Similarly, the ALJ Opinion and Order declares that the proposed rules “are narrowly tailored to serve the interests articulated[;]” and that the public benefit outweighs “the comparatively minimal burden” that the “time, place and manner restrictions [of the proposed rules place] on commercial speech[.]”¹² But beyond the declaration, there is no material analysis of the law or standards pertinent to government action impinging speech interests.

17

18

19

20

21

22

23

In closing, Qwest here repeats its comments from last year: “[A]doption of the type of rules proposed by Staff [and now recommended by the ALJ] would poorly serve the citizens of the state of Arizona. Not only would such rules burden those citizens with additional cost recovery obligations but the rules would operate to reduce Arizona subscribers’ ability to receive truthful – oftentimes very helpful – information about telecommunications products and services. The Staff’s . . . rules create substantial

24

⁹ ALJ Opinion and Order, Appendix B, page 6.

25

¹⁰ *Id.* page 7.

26

¹¹ Proposed Rule R14-2-2108. *See id.*, Appendix B, pages 9-12.

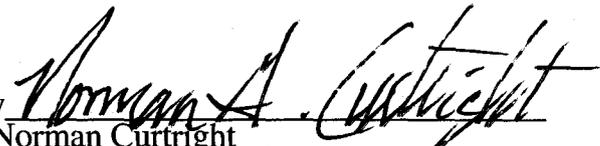
¹² *Id.*, Appendix B, pages 2, 11-12.

1 barriers to an Arizona [citizen's] right to know about cutting edge telecommunications
2 products and technology that could improve their quality of life and their financial
3 decision-making. The . . . rules completely ignore the fact that the First Amendment
4 protects not only a carrier's right to speak but an individual's right to hear, advancing the
5 proposition that individuals are best positioned to make personal decisions about how to
6 deploy their financial resources among a wide variety of purchase and investment
7 alternatives, rather than the government imposing barricades that deplete the free flow of
8 information to them and concomitantly depress the exercise of educated choices."¹³

9 For all the above reasons, Qwest continues to oppose the promulgation of the
10 Staff's proposed rules, or the adoption of the ALJ's Opinion and Order that incorporates
11 them.

12 DATED this 3rd day of November, 2005.

13 **QWEST CORPORATION**

14
15 By 
16 Norman Curtright
17 4041 N. Central, 11th Floor
18 Phoenix, Arizona 85012
19 (602) 630-2187

20 -and-

21 **FENNEMORE CRAIG, P.C.**

22 Timothy Berg
23 Theresa Dwyer
24 3003 N. Central Ave, Suite 2600
25 Phoenix, Arizona 85012
26 (602) 916-5421

¹³ Letter from Theresa Dwyer, FENNEMORE CRAIG, to Chairman Marc Spitzer, Arizona Corporation Commission, et al., In the Matter of Dissemination of Individual Customer Proprietary Network Information by Telecommunications Carriers, Docket No. RT-00000J-02-0066, Dec. 21, 2004 page 4.

1 *Attorneys for Qwest Corporation, Qwest*
2 *Communications Corporation, and Qwest LD*
3 *Corporation*

4 ORIGINAL and 13 copies of the foregoing
5 hand-delivered for filing this 3rd day of November, 2005 to:

6 Docket Control
7 ARIZONA CORPORATION COMMISSION
8 1200 West Washington
9 Phoenix, Arizona 85007

10 **COPY** of the foregoing hand-delivered
11 this 3rd day of November, 2005 to:

12 Lyn Farmer
13 Chief Administrative Law Judge
14 ARIZONA CORPORATION COMMISSION
15 1200 W. Washington St.
16 Phoenix, AZ 85007

17 Ernest G. Johnson, Director
18 Utilities Division
19 ARIZONA CORPORATION COMMISSION
20 1200 W. Washington St.
21 Phoenix, AZ 85007

22 Christopher Kempley, Chief Counsel
23 Legal Division
24 ARIZONA CORPORATION COMMISSION
25 1200 W. Washington St.
26 Phoenix, AZ 85007

COPY of the foregoing mailed
this 3rd day of November, 2005 to:

James Harlan
Allegiance Telecom of Arizona
9201 N. Central Expressway, Bldg. B 6th Flr.
Dallas, TX 75231

- 1 Curt Huttzell
Director, State Government Affairs
- 2 4 Triad Center, Suite 200
Salt Lake City, UT 84180
- 3
- 4 Eric S. Heath
SPRINT COMMUNICATIONS CO.
- 5 100 Spear Street, Suite 930
San Francisco, CA 94105
- 6
- 7 Mark DiNunzio
Cox Arizona Telecom, LLC
- 8 1550 West Deer Valley Road
MS:DV3-16, Bldg. C
- 9 Phoenix, AZ 85027
- 10 Catherine Fox
Adelphia
- 11 712 North Main Street
Coudersport, PA 16915-1141
- 12
- 13 Rob Heath
AFN
- 14 9401 Indian Creek Pkwy, Ste. 140
Overland Park, KS 66210
- 15
- 16 Dennis D. Alhers
Eschelon Telecom of AZ
- 17 730 Second Ave. South, Ste. 1200
Minneapolis, MN 55402
- 18
- 19 Mark P. Trinchero
DAVIS WRIGHT TREMAINE
- 20 1300 SW Fifth Avenue, Ste. 2300
Portland, OR 97201
- 21
- 22 Lynn Abraham
Mpower Communications
- 23 175 Sully's Trail, Suite 300
Pittsford, NY 14534
- 24
- 25
- 26

- 1 Thomas Bade
Touch Home Phone
2 7170 Oakland Street
Chandler, AZ 85226
3
- 4 Mark Dioguardi
Tiffany and Bosco PA
5 500 Dial Tower
1850 N. Central Avenue
6 Phoenix, AZ 85004
- 7 Patrick Chow
Brooks Fiber Communications of Tucson
8 2301 Spear Street, Floor 9
San Francisco, CA 94105
9
- 10 Mike Duke
KMC Telecom V, Inc.
11 1755 N. Brown Road
Lawrenceville, GA 30043
12
- 13 Michael Bagley
Director of Public Policy
14 Verizon Wireless
15505 San Canyon Avenue
15 Irvine, CA 92618
- 16 Jennifer Martin
Teligent Services
17 460 Herndon Pkwy, Ste. 100
Herndon, VA 20170
18
- 19 Beverly Jackson
CI2
20 200 Galleria Pkwy, Ste. 1200
Atlanta, CA 30339
21
- 22 Jodi Caro
Looking Glass
23 1111 West 22nd Street
Oak Brook, IL 60523
24
25
26

- 1 James Falvey
Espire
2 7125 Columbia Gate Drive, Ste. 200
Columbia, MD 21046
3
- 4 Karen S. Frame
Covad Communications Company
5 7901 Lowry Boulevard
Denver, CO 80230
6
- 7 Jacqueline Manogian
Mountain Telecommunications
8 1430 Broadway Rd., Ste. A200
Tempe, AZ 85282
9
- 10 Anthony Gillman
Verizon Select
11 6665 N. MacArthur Boulevard
Irving, TX 75039
12
- 13 Steven J. Duffy
ISAACSON & DUFFY
14 3101 North Central Ave., Ste. 740
Phoenix, AZ 85012
15
- 16 Todd C. Wiley
Gallagher and Kennedy
17 2575 East Camelback Road
Phoenix, AZ 85016-9225
18
- 19 Manager of Regulatory Affairs
New Edge Networks
20 3000 Columbia House Blvd.
Ste. 106
21 Vancouver, WA 98661
- 22 Todd Lesser
North County Communications
23 3802 Rosecrans, Ste. 485
San Diego, CA 92110
24
25
26

- 1 Al Sterman
Arizona Consumers Council
2849 E. 8th Street
Tucson, AZ 85716
- 3
- 4 Schula Hobbs
DSLNet
545 Long Wharf Drive, Floor 5
New Haven, CT 06511
- 6
- 7 Pantio Manias
Sharon Belcher
8 El Paso Networks
1001 Louisiana Street
9 Houston, TX 77002
- 10 Maria Hanley
Smoke Signal Communications
11 8700 S. Gasser
Houston, TX 77074
- 12
- 13 Patrick McGuire
RCN Telecom Services
14 105 Carnegie Center
Princeton, NJ 08540
- 15
- 16 Wendy Wheeler
ALLTEL
17 11333 N. Scottsdale Rd., Ste.
Scottsdale, AZ 85254
- 18
- 19 Judith Riley
Telecom Professionals
20 300 N. Meridian
Oklahoma City, OK 73107
- 21
- 22 Fred Goodwin
SBC Telecom, Inc.
23 1010 N. Ste. Mary's Room 13K
San Antonio, TX 78125-2109
- 24
- 25
- 26

1 Sharon Thomas
Rosalind Williams
2 Talk America
12001 Science Drive, Suite 130
3 Orlando, FL 32826

4 Teresa Reff
Global Crossing Services
5 1080 Pittsford Victor Road
Pittsford, NY 14534
6

7 Edward Marsh
Verizon Select
8 2 Conway Park
150 Field Drive, Ste. 300
9 Lake Forest, IL 60045

10 Donald Taylor
Tel West Communications
11 PO Box 94447
Seattle, WA 98124
12

13 Mark N. Rogers
Excell Agent Services, LLC
14 PO Box 52092
Phoenix, AZ 85072-2092
15

16 Kevin Saville
Citizens Communications
17 2378 Wilshire Boulevard
Mound, MN 55364
18

19 Richard Monte
Universal Access of AZ
20 233 S. Wicker Dr., Ste. 600
Chicago, IL 60606
21

22 Diane Bacon
Communications Workers of America
23 5818 N. 7th St., Ste. 206
Phoenix, AZ 85014-5811
24
25
26

- 1 Lisa Loper
Teleport Communications Group
- 2 One AT&T Way
Bedminster, NJ 07921
- 3
- 4 Mitchell F. Brecher
Greenberg Traurig
- 5 800 Connecticut Avenue, NW
Washington, DC 20006
- 6
- 7 James A. Kuzmich
Davis Dixon Kirby
- 8 14614 N. Kierland Blvd., Ste. S160
Scottsdale, AZ 85254
- 9
- 10 Bill Couter
McLeod USA, Inc.
- 11 6400 C Street, SW
PO Box 3177
- 12 Cedar Rapids, IA 52406-3177
- 13 Justin Laughlin
Z-Tel Communications, Inc.
- 14 601 S. Harbour Island Blvd., Ste. 220
Tampa, FL 33602
- 15
- 16 Joyce Hundley
U.S. Department of Justice
- 17 1401 H Street, NW, Ste. 8000
Washington, DC 20530
- 18
- 19 Robert Richards
Accipiter Communications, Inc.
- 20 2238 W. Lone Cactus Dr., Ste. 100
Phoenix, AZ 85027
- 21
- 22 Pam Moorehead
CenturyTel
- 23 PO Box 4065
Monroe, LA 71211
- 24
- 25
- 26

- 1 Ron Johnson
Centurytel Solutions
- 2 100 CenturyTel Drive
Monroe, LA 71203
- 3
- 4 Lane Williams
Midvale Telephone Exchange
- 5 PO Box 7
Midvale, ID 83645
- 6
- 7 Brenda Crosby
Rio Virgin Telephone Company
- 8 Rio Virgin Telephone & Cablevision
PO Box 189
- 9 Estacada, OR 97023
- 10 Harold Oster
Rio Virgin Telephone and Cablevision
- 11 PO Box 299
Mesquite, NV 89024-0299
- 12
- 13 Mark McLemore
South Central Utah Telephone Association
- 14 PO Box 226
Escalante, UT 84726
- 15
- 16 Jesse B. Tresler
Verizon California
- 17 112 S. Lakeview Canyon Road
Thousand Oaks, CA 91362-3811
- 18
- 19 John E. Zeile
Arizona Telephone Company
- 20 2495 Main Street
PO Box 220
- 21 Choctaw, OK 73020-0220
- 22 Dennis Halm
Pac-West Telecomm, Inc.
- 23 4210 Coronado Avenue
Stockton, CA 95204
- 24
- 25
- 26

- 1 Ivan Sweig
Net-Tel Corporation
2 333 Washington Blvd.
Marina Del Rey, CA 90292
3
- 4 Jill Blakely
Time Warner Telecom of Arizona
5 10475 Park Meadows Drive
Littleton, CO 80124
6
- 7 Steven Murray
Winstar Communications of Arizona
8 1850 M Street, NW Suite 300
Washington, DC 20036
9
- 10 Steven Miller
Telseon Carrier Services, Inc.
11 7887 E. Belleview Ave., Ste. 600
Engelwood, CO 80111
12
- 13 Paul Pino
ICG Telecom Group – AZ
14 161 Inverness Drive West
Engelwood, CO 80112
15
- 16 Jacquetta Place
Premiere Network Services, Inc.
17 1510 N. Hampton Road, Ste. 120
DeSoto, TX 75115
18
- 19 Bruce A. Ramsey
Morgan Miller & Blair
20 1676 N. California Blvd., Ste. 200
Walnut Creek, CA 94596-4137
21
- 22 Clyde Austin
Buy-Tel Communications, Inc.
23 PO Box 136578
Fort Worth, TX 76136
24
25
26

- 1 Barry Anrich
Comm South Companies, Inc.
2 2909 N. Buckner Blvd.
Dallas, TX 75228-4861
3
- 4 Joseph Dunbar
Intermedia Communications, Inc.
5 201 Spear Street, 9th Floor
San Francisco, CA 94105
6
- 7 Robert Sokota
Metromedia Fiber Network Services, Inc.
8 360 Hamilton Avenue
White Plains, NY 10601
9
- 10 William Hunt III
Level 3 Communications, LLC
11 1025 Eldorado Blvd.
Broomfield, CO 80021
12
- 13 Network Access Solutions
PO Box 18178
14 Philadelphia, PA 19116-0178
- 15 Andrew Stollman
Traffix, Inc.
16 1 Blue Hill Plaza
PO Box 1665
17 Pearl River, NY 10965
- 18 Pat Howard
QuantumShift Communications, Inc.
19 88 Rowland Way, Ste. 145
Novato, CA 94945
20
- 21 Abdullah Sanders
San Tran Technologies, Inc.
22 PO Box 535
Glendale, AZ 85311
23
- 24 James Flavey
Xspedius Management Co. of Pima County
25 7125 Columbia Gateway Dr., Ste. 200
Columbia, MD 21046
26

- 1 Gregory Lawhon
Telecom Resources, Inc.
2 2020 Balitmore
Kansas City, MO 64108
3
- 4 Michael Morris
Allegiance Telecom, Inc.
5 505 Sansome St., Floor 20
San Franciso, CA 94111
6
- 7 Lynne Martinez
Pac-West
8 1776 W. March Lane, Ste. 250
Stockton, CA 95207
9
- 10 Jeffrey Elkins
Caltech International Telecom
11 PO Box 837
San Ramon, CA 94583
12
- 13 Marianne Deagle
Birch Telecom/Ionex Telecommunications
14 202 Baltimore St.
Kansas City, MO 64108-1014
15
- 16 Lance J.M. Steinhart
1720 Windward Concourse, Ste. 250
17 Alpharetta, GA 30005
- 18 Rural Network Services, Inc.
PO Box 217
19 Midvale, ID 83645-0217
- 20 Robert Garcia
TSI Telecommunications Network
21 One Tampa Center, Ste. 700
Tampa, FL 33602
22
- 23 M.K. Kitchens
Valor Telecommunications CLEC of AZ
24 201 E. John Carpenter Fwy, Ste. 200
Irving, TX 75062-2707
25
26

- 1 Christopher Johnson
Western CLEC
2 3650 131st Ave SE Ste. 400
Bellevue, WA 98006
3
- 4 Carl Wolf Billek
Entrix Telecom, Inc.
5 520 Broad Street
Newark, NJ 07102-3111
6
- 7 Renee J. Rebillot
Office of the Attorney General
8 1275 W. Washington
Phoenix, AZ 85007-2997
9
- 10 Arizona Community Action Association
2627 N. Third Street, Ste. 2
11 Phoenix, AZ 85004
- 12 Letty Friesen
AT&T COMMUNICATIONS OF THE MT. STATES
13 919 Congress Avenue, Suite 900
Austin, TX 78701
14
- 15 Teresa Ono
AT&T
16 795 Folsom Street, Room 2159
San Francisco, CA 94107-1243
17
- 18 Thomas F. Dixon
WORLD COM, INC.
19 707 N. 17th Street #3900
Denver, CO 80202
20
- 21 Joan S. Burke
OSBORN MALEDON, P.A.
22 Attorneys for XO Communications
2929 N. Central Ave., 21st Floor
23 PO Box 36379
Phoenix, AZ 85067-6379
24
25
26

- 1 Brian Thomas
Time Warner Telecom, Inc.
2 223 Taylor Avenue North
Seattle, WA 98109
3
- 4 Rex Knowles
XO
5 111 E. Broadway, Ste. 100
Salt Lake City, UT 84111
6
- 7 Bradley S. Carroll
COX COMMUNICATIONS
8 20402 North 29th Avenue
Phoenix, AZ 85027-3148
9
- 10 Scott Wakefield
Daniel Pozefsky
11 Linda Funkhouser
RESIDENTIAL UTILITY CONSUMER OFFICE
12 1110 W. Washington St., Suite 220
Phoenix, Arizona 85007
13
- 14 Cindy Manheim
Regulatory Counsel, AT&T Wireless
15 RTC-1
7277 164th Avenue NE
16 Redmond, VA 98052
17
- 18 Nextel Communications
Legal Division
19 2001 Edmund Halley Drive
Reston, VA 20191
20
- 21 Andrew O. Isar
TRI
22 4310 92nd Avenue, NW
Gig Harbor, WA 98335
23
- 24 Gregory Hoffman
AT&T Telecommunications
795 Folsom Street, Room 2159
25 San Francisco, CA 94107-1243
26

- 1 Nancy L. Davis
Verizon Wireless – Legal Department
2 15505 Sand Canyon Avenue
Irvine, CA 92618
3
- 4 T-Mobile USA, Inc.
Legal Department
5 12920 SE 38th Street
Bellevue, WA 98006
6
- 7 Brett D. Leopold
Sprint Corporation, Legal Department
8 6450 Sprint Parkway
Overland Park, KS 66251
9
- 10 Laurie Itkin
Leap Wireless/Cricket Communications
11 10307 Pacific Center Court
San Diego, CA 92121
12
- 13 Cingular Wireless
West Region Correspondence
14 PO Box 755
Atwater, CA 95301
15
- 16 Western Wireless Corporation
Legal Department
17 3650 131st Avenue SE Ste. 600
Bellevue, WA 98006
18
- 19 Amanda Nix
Western Wireless
20 2001 NW Sammamish Road
Issaquah, WA 98027
21
- 22 Beth Keiko Fujimoto
AT&T Wireless Services, Inc.
23 Legal Department
16331 NE 72nd Way, Bldg. 1
24 Redmond, WA 98052
25
26

1 Alltel Corporation
Legal Department
2 11025 Anderson Drive
Little Rock, AR 72212

3

4 Southwestern Telephone Company
PO Box 5158
5 Madison, WI 53705-0158

6

7 Mindy Kay
WilTel Communications
8 1 Technology Center
MD TC-7B
9 Tulsa, OK 74103

10 Wilshire Connection LLC
Manager of Regulatory Affairs
11 633 W. Street, 56th Floor
Los Angeles, CA 90071

12

13 Arizona Reporting Service, Inc.
2627 N. Third Street, Ste. 3
14 Phoenix, AZ 85004-1103

15 Scott McCoy
JENNINGS STROUSS & SALMON, PLC
16 201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385

17

18 Michael W. Patten
ROSHKA, HEYMAN & DEWULF
19 One Arizona Center
400 E. Van Buren St., Ste. 800
20 Phoenix, AZ 85004

21 Thomas Campbell
Michael Hallam
22 LEWIS AND ROCA
40 N. Central Avenue
23 Phoenix, AZ 85004

24 Jon Poston
ACTS
25 6733 E. Dale Lane
Cave Creek, AZ 85331

26

1 Robert E. Kelly
ALLEGIANCE TELECOM OF ARIZONA, INC.
2 1919 M Street, NW, Suite 420
Washington, DC 20036

3

4 Jeffrey W. Crockett
SNELL & WILMER
5 One Arizona Center
Phoenix, AZ 85004-2202

6

7 Jennifer Martin
Teligent Services
8 Suite 100
460 Herndon Parkway
9 Herndon, VA 20170

10 Rosalind William
Talk America
11 Suite 130
12001 Science Drive
12 Orlando, FL 32826

13 Sharon Belcher
El Paso Networks
14 1001 Louisiana Street
Houston, TX 77002

15

16 Sheri Pringle
Comm South Companies
17 Suite 800
2909 N. Buckner Boulevard
18 Dallas, TX 75228

19 Cindy Manheim
AT&T Wireless
20 RTC-1
7277 - 164th Avenue, N.E.
21 Redmond, WA 98052

22

23 

24

25

26