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BEFORE THE ARIZONA CORPORATION COMMISSION

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

IN THE MATTER OF THE APPLICATION OF QWEST COMMUNICATIONS CORPORATION D/B/A QWEST LONG DISTANCE FOR EXTENSION OF ITS EXISTING CERTIFICATE OF CONVENIENCE AND NECESSITY TO INCLUDE AUTHORITY TO PROVIDE RESOLD AND FACILITIES-BASED LOCAL EXCHANGE AND RESOLD LONG DISTANCE SERVICES IN ADDITION TO ITS CURRENT AUTHORITY TO PROVIDE FACILITIES-BASED LONG DISTANCE SERVICES, AND PETITION FOR COMPETITIVE CLASSIFICATION OF PROPOSED SERVICES WITHIN THE STATE OF ARIZONA

DOCKET NO. T-02811B-04-0313
QWEST COMMUNICATIONS CORPORATION'S OBJECTION TO PROCEDURAL ORDER

22 Qwest Communications Corporation ("QCC") hereby files its response to the Procedural
23 Order dated December 14, 2005 (the "Procedural Order"). The Procedural Order purports to
24 join QC as an indispensable party to this proceeding, and orders QC to make a filing in this
25 docket regarding the "effect on Qwest Corporation of granting Qwest Communications
26 Corporation's application." Further, the Procedural Order raises the possibility of another round

1 of testimony and hearing dates on the question of QC's joinder. The Procedural Order states, as
2 the sole factual basis for the joinder, that QC may be adversely impacted by revenue losses, if
3 QCC is granted the authority it requests to provide services in direct competition with QC.
4 Procedural Order, at 3, lines 1-5.

5 QCC objects to the Procedural Order. The attempt to join the ILEC QC in the
6 competitive CC&N process is unprecedented. No authority exists for analyzing whether the
7 ILEC may lose revenue as a factor toward the granting of a certificate to provide competitive
8 services. No other applicant for a competitive CC&N has been required to defend whether the
9 grant of its application will result in the loss of revenue to the ILEC.

10 The procedural order can only serve to further delay consideration of QCC's
11 Supplemental Application, to the substantial detriment of QCC. QCC is dismayed and
12 discouraged that *twenty months after QCC first filed its Application, and nearly four months*
13 *after the second evidentiary hearing*, the Commission is considering adding parties, and holds
14 out the prospect of further hearings. This extended process amounts to a state-imposed barrier to
15 entry contrary to the market opening goals of the federal Telecommunications Act of 1996. In
16 any event, joinder of QC is not necessary. For all of the reasons already included in the record of
17 this proceeding, no reasonable purpose can be served by joinder of QC in this proceeding.

18 The Commission should proceed to grant the QCC certificate, and allow competition to
19 go forward.

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21 RESPECTFULLY SUBMITTED, this 19th day of December, 2005,

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By: 
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And

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ORIGINAL + 13 copies filed this
19th day of December, 2005:

Docket Control
ARIZONA CORPORATION COMMISSION
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COPY of the foregoing delivered by hand
this 19th day of December, 2005 to:

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