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**BEFORE THE ARIZONA CORPORATION COMMISSION**

WILLIAM A. MUNDELL  
CHAIRMAN  
JIM IRVIN  
COMMISSIONER  
MARC SPITZER  
COMMISSIONER

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AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE NOTICE OF  
PROPOSED AMENDMENTS TO THE ARIZONA  
UNIVERSAL SERVICE FUND

DOCKET NO. RT-00000H-97-0137

Arizona Corporation Commission

**DOCKETED**

**OPPOSITION OF COMMISSION STAFF TO  
CITIZENS' MOTION TO CONSOLIDATE**

AUG 16 2002

DOCKETED BY *CAR*

On August 1, 2002, Citizens Communications Company, Navajo Communications Company, Inc., Citizens Telecommunications Company of White Mountains, Inc., dba Frontier Communications of White Mountains and Citizens Utilities Rural Company, Inc., dba Frontier Citizens Utilities Rural (collectively, "Citizens") moved to consolidate this Docket with the Commission's Investigation into the Cost of Telecommunications Access, Docket No. T-00000D-00-0672. Staff files this opposition to the Motion and respectfully requests that the Commission deny it.

Citizens states in support of its Motion that "[t]he issues in each docket are substantially related and that the rights of all parties of record will not be prejudiced by such procedure." Id. at p. 1. Staff disagrees and submits that the issues and procedural tracks for these dockets are substantially different such that consolidation would not be appropriate. In addition, Citizens had ample opportunity to raise this issue before now, when both proceedings are well underway.

With regard to the issues being addressed, the investigation into the cost of telecommunications access is examining whether the access charges of Arizona ILECs reflect their costs, and if not, what is the appropriate cost structure in the future. The AUSF rulemaking docket is examining whether changes to the current AUSF rules are appropriate given universal service fund changes at the federal level. The only link between the two Dockets is the issue of whether any

1 access charge reductions brought about through restructuring, should be covered through the Arizona  
2 Universal Service Fund, or other methods such as end user surcharges or rate revisions. Staff does  
3 not believe that the Dockets need to be consolidated to address this issue. In fact, given the  
4 complexity of the issues in each of the respective Dockets, Staff submits that it would be less  
5 confusing to address the universal service and access cost issues separately.

6 With regard to process, both Dockets are on much different procedural tracks. The Access  
7 Charge Docket is being conducted through an evidentiary hearing process, which is appropriate,  
8 given the nature of the issues. Further, parties have already filed initial testimony in the Access  
9 Charge Docket. Thus, to substantially revise and significantly expand the scope of the proceeding at  
10 this late date, as Citizens suggests, would be inadvisable. The AUSF Docket, on the other hand, is  
11 looking at possible revisions to the Arizona Universal Service Fund Rules, through a rulemaking  
12 proceeding. The issues raised in the AUSF Docket, thus by their nature, are more conducive to a  
13 workshop process.

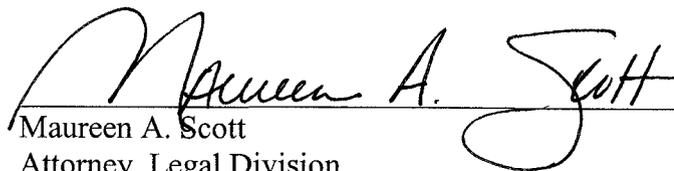
14 In addition, Citizens had ample opportunity to raise this issue before now. The Access Charge  
15 Docket was opened on September 5, 2000. On December 4, 2001, Citizens and other interested  
16 parties were asked to comment on Staff's proposed issues list. On March 28, 2002, Staff filed its list  
17 of procedural recommendations and comment by parties was once again solicited. To Staff's  
18 knowledge, Qwest was the only party to respond. On May 21, 2002, the Administrative Law Judge  
19 adopted Staff's recommendations. Intervenor direct testimony was filed on June 28, 2002. The  
20 AUSF Docket has also been pending for sometime and there have been written comments filed and at  
21 least one workshop held.

22 For the reasons given above, Staff respectfully requests that the Commission deny Citizen's  
23 Motion to Consolidate the AUSF and Access Charge Dockets.

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1 RESPECTFULLY SUBMITTED this 16<sup>th</sup> day of August, 2002.

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4 Maureen A. Scott  
5 Attorney, Legal Division  
6 Arizona Corporation Commission  
7 1200 West Washington Street  
8 Phoenix, Arizona 85007  
9 Telephone: (602) 542-6022  
10 Facsimile: (602) 542-4870  
11 e-mail: [maureenscott@cc.state.az.us](mailto:maureenscott@cc.state.az.us)

12 Original and **ten** copies of the foregoing  
13 were filed this 16<sup>th</sup> day of August 2002, with:

14 Docket Control  
15 Arizona Corporation Commission  
16 1200 West Washington Street  
17 Phoenix, AZ 85007

18 Copies of the foregoing were mailed and/or  
19 hand-delivered this 16<sup>th</sup> day of August, 2002, to:

20 John Zeiler (representing Arizona Telephone,  
21 Southwestern Telephone, ALECA)  
22 TDS Telecom  
23 2495 North Main Street, Box 220  
24 Choctaw, OK 73020  
25 [john.zeiler@tdstelecom.com](mailto:john.zeiler@tdstelecom.com)

26 Michael M. Grant, Esq.  
27 Todd C. Wiley, Esq.  
28 Gallagher & Kennedy, P.A. (representing  
Verizon Wireless)  
2575 East Camelback Road  
Phoenix, AZ 85016  
[tcw@gknet.com](mailto:tcw@gknet.com)

29 Jeff Smith  
30 GVNW Consulting, Inc. (representing Table  
31 Top Telephone Company)  
32 8050 SW Warm Springs Street  
33 PO Box 2330  
34 Tualatin, OR 97062

35 Scott Wakefield, Chief Counsel  
36 Residential Utility Consumer Office  
37 2828 North Central Avenue, Suite 1200  
38 Phoenix, AZ 85004

39 Charon Harris, Esq.  
40 Steve Berman, Esq.  
41 Verizon Wireless  
42 1300 I Street NW, Suite 400 West  
43 Washington, DC 20005

44 Joan S. Burke  
45 Osborn Maledon, P.A. (representing AT&T)  
46 PO Box 36379  
47 Phoenix, AZ 85067-6379  
48 [jsburke@omlaw.com](mailto:jsburke@omlaw.com)

1 Richard Wolters  
Law and Government Affairs  
2 AT&T  
1875 Lawrence Street, Suite 1575  
3 Denver, CO 80202-1870  
4 [rwolters@lga.att.com](mailto:rwolters@lga.att.com)

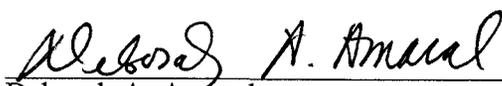
5 Curt Huttsell  
Citizens Communications  
6 4 Triad Center, Suite 200  
Salt Lake City, UT 84180  
7 [chuttsel@czn.com](mailto:chuttsel@czn.com)

8 Karen Williams, PhD  
9 Midvale Telephone Exchange, Inc.  
2205 Keithley Creek Road, PO Box 7  
10 Midvale, ID 83645  
11 [kjwill@ruralnetwork.net](mailto:kjwill@ruralnetwork.net)

12 Timothy Berg  
Theresa Dwyer  
13 Fennemore Craig (representing Qwest  
Corporation)  
14 3003 N. Central Ave., Suite 2600  
Phoenix, AZ 85012-2913

15 Thomas Campbell  
16 Lewis and Roca, LLP (representing  
17 WorldCom, Inc.)  
40 North Central Avenue  
18 Phoenix, AZ 85004-4429  
19 [TCampbell@lrlaw.com](mailto:TCampbell@lrlaw.com)

20 Steven W. Cheifetz  
John C. Marcolini  
21 Robert J. Metli  
Cheifetz & Iannitelli, PC  
22 3238 North 16<sup>th</sup> Street  
Phoenix, Arizona 85016  
23 Attorneys for Citizens  
24 Communication Company

25  
26   
27 

---

Deborah A. Amaral  
Assistant to Maureen A. Scott  
28

Michael W. Patten, Esq.  
Roshka Heyman & DeWulf PLC  
(representing Cox Arizona Telecom, LLC)  
One Arizona Center  
400 East Van Buren Street, Suite 800  
Phoenix, AZ 85004  
[mpatten@rhd-law.com](mailto:mpatten@rhd-law.com)

Bradley Carroll, Esq.  
Cox Arizona Telecom, LLC  
20401 North 29<sup>th</sup> Avenue  
Phoenix, AZ 85027  
[bradley.carroll@cox.com](mailto:bradley.carroll@cox.com)

Gregory Hoffman  
AT&T  
795 Folsom Street, Room 2159  
San Francisco, CA 94107-1243  
[greghoffman@att.com](mailto:greghoffman@att.com)

Suzie Rao  
Western Wireless Corporation  
3650 131<sup>st</sup> Avenue SE, #400  
Bellview, WA 98006

David LaFrance  
XO Communications  
111 East Broadway  
Suite 1000  
Salt Lake City, UT 84111

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