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BEFORE THE ARIZONA CORPORATION COMMISSION
DOCKETED

WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

SEP 10 2002

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AZ CORP. COM. REG. DIV.
DOCUMENT CONTROL

IN THE MATTER OF REVIEW AND POSSIBLE
REVISION OF THE ARIZONA UNIVERSAL
SERVICE FUND RULES.

DOCKET NO. RT-00000H-97-0137

PROCEDURAL ORDER

BY THE COMMISSION:

By Procedural Order issued July 8, 2002, Staff's Motion to Suspend the Procedural Schedule in Docket No. T-00000D-00-0672, *In the Matter of the Investigation of the Cost of Telecommunications Access* ("Access Docket") was granted. Accordingly, the Access Docket's previously established timelines for filing Staff's testimony, rebuttal testimony, surrebuttal testimony, and the hearing date were suspended indefinitely.

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") filed a Motion to Consolidate ("Motion") the above-captioned docket ("AUSF Docket") with the Access Docket. Citizens claims that the issues in both dockets are substantially related and that the rights of all parties will not be prejudiced by consolidation.

Responses to Citizens' Motion were filed on August 16, 2002 by Staff, on August 20, 2002, by WorldCom, Inc. ("WorldCom"), on August 21, 2002 by AT&T Communications of the Mountain States, Inc. and TCG Phoenix (collectively "AT&T"), and on August 22, 2002 by Qwest Corporation, Inc. ("Qwest"). All of the responding parties oppose Citizens' request for consolidation of the Access and AUSF Dockets. Staff argues that the issues and procedural tracks are substantially different for each of the dockets. Staff claims that while the Access Docket will investigate the appropriate access charge cost structure for Arizona ILECs, the AUSF Docket will examine whether

1 changes to the current AUSF rules are appropriate given universal service fund changes at the federal
2 level. Staff also points out that the Access Docket is being conducted through an evidentiary hearing
3 process and the AUSF Docket is being treated through a rulemaking proceeding. Finally, Staff
4 argues that Citizens should have raised the consolidation issue prior to this point in time. WorldCom,
5 AT&T, and Qwest all oppose consolidation of the dockets.

6 On August 29, 2002, Citizens filed a Reply to Staff's Response. Citizens states that it raised
7 the issue of consolidation as early as November 2001 through letters to the AUSF Docket and later
8 through its Comments and Testimony in the Access Docket and at a Workshop in the AUSF Docket.
9 Citizens contends that consolidation is appropriate because AUSF is a form of explicit support for
10 basic local exchange service, and combining AUSF reform with Access reform offers the opportunity
11 to substitute explicit for implicit support.

12 As Staff and the intervenors point out, the issues raised in the Access and AUSF Dockets are
13 substantially different and consolidation of the dockets is therefore not appropriate. Given the
14 complexity of the issues in each of the dockets, it will be more efficient to consider the issues
15 separately rather than jointly.

16 IT IS THEREFORE ORDERED that Citizens' Motion to Consolidate is denied.

17 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,
18 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
19 hearing.

20 DATED this 10th day of September, 2002.

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23 
24 _____
25 DWIGHT D. NODES
26 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

27 Copies of the foregoing mailed/delivered
28 this 10th day of September, 2002 to:

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this _____ day of September, 2002 to:

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ONTARIO CA 91764-4483 |
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BROOMFIELD CO 80021- | ALLIANCE GROUP SERVICES, INC.
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