



BEFORE THE ARIZONA CORPORATION COMMISSION
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COMMISSIONERS

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

2006 FEB -6 P 1:53

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE PETITION BY
AUTOTEL FOR ARBITRATION OF AN
INTERCONNECTION AGREEMENT WITH
QWEST CORPORATION PURSUANT TO
SECTION 252(B) OF THE
TELECOMMUNICATIONS ACT.

DOCKET NO. T-01051B-05-0858

PROCEDURAL ORDER

BY THE COMMISSION:

On November 23, 2005, Autotel filed with the Arizona Corporation Commission ("Commission") a Petition for Arbitration of an interconnection agreement with Qwest Corporation ("Qwest") pursuant to A.A.C. R14-2-1505 and Section 252(b) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996 ("the Act").

On December 13, 2005, Qwest filed its Response to Petition for Arbitration, Including Motion to Dismiss.

On December 15, 2005, pursuant to Procedural Order, a procedural conference was held. Prior to proceeding with an evidentiary hearing in this matter, the legal issue of whether Autotel is precluded from filing the application in this docket must be addressed. Autotel and Qwest are currently parties to an Interconnection Agreement that was approved by the Commission in 2004; however, that Agreement is currently the subject of federal litigation. The current Interconnection Agreement appears to provide for commencement of negotiations on a new agreement within two and one-half years after the original Interconnection Agreement became effective, and this issue must also be addressed.

On December 16, 2005, pursuant to Procedural Order, the timeclock in this matter was suspended.

On February 6, 2006, pursuant to Procedural Order, a procedural conference was held for the purpose of oral argument. Mr. Oberdorfer, President of Autotel, unexpectedly failed to make an

1 appearance. Monica Davis, office manager for Mr. Oberdorfer, was present via telephone on behalf
2 of Autotel, but stated that she is not an attorney. She stated that Mr. Oberdorfer was out of the
3 country. Counsel for Qwest and counsel for Staff were both present.

4 At the time appointed for oral argument, all parties stated that they were satisfied with the
5 existing record and would not object to going forward solely on the record.

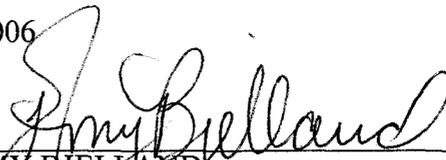
6 IT IS THEREFORE ORDERED that, unless a party notifies the Commission by **Wednesday,**
7 **February 15, 2006** that it requires oral argument on the legal issues, this matter will be taken under
8 advisement pending issuance of a decision on the legal issues as raised in the existing record.

9 IT IS FURTHER ORDERED that given the necessity of consideration of the legal issues in
10 this matter, the timeclock continues to be suspended.

11 IT IS FURTHER ORDERED that all parties must comply with Rule 33(c) and (d) of the
12 Rules of the Arizona Supreme Court with respect to practice of law and admission *pro hac vice*.

13 IT IS FURTHER ORDERED that the Arbitrator may rescind, alter, amend, or waive any
14 portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

15 Dated this 6 day of February, 2006

16 
17 _____
18 AMY BJELLAND
19 ARBITRATOR

20 Copies of the foregoing mailed/delivered
21 this 6 day of February, 2006 to:

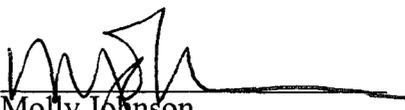
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By: 
Molly Johnson
Secretary to Amy Bjelland