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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

2001 OCT 17 P 4: 14

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2 WILLIAM A. MUNDELL
CHAIRMAN
3 JIM IRVIN
4 COMMISSIONER
5 MARC SPITZER
COMMISSIONER

DOCKETED

OCT 17 2001

AZ CORP COMMISSION
DOCUMENT CONTROL

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6 IN THE MATTER OF QWEST
7 CORPORATION'S TARIFF FILING TO
8 INTRODUCE A NEW RATE
9 STRUCTURE FOR AN ACCESS
SERVICE USED BY INTEREXCHANGE
CARRIERS

Docket No. T-01051B-01-0391

**MOTION FOR AMENDMENT
OF PROCEDURAL ORDER**

10
11 On October 10, 2001, the Hearing Division of the Arizona Corporation Commission (the
12 "Commission") issued a procedural order (the "Order") in the above-captioned docket. Qwest
13 Corporation ("Qwest") hereby moves the Commission to amend and clarify this Order.

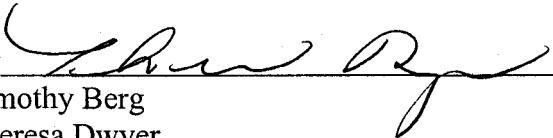
14 Qwest respectfully requests the Commission to amend the Order to establish guidelines
15 and deadlines for intervention. Thus far, the Commission has granted intervention to Cox
16 Arizona Telecom, L.L.C. ("Cox") and Eschelon Telecom of Arizona, Inc. ("Eschelon"), both of
17 whom filed formal motions to intervene, copies of which were provided to Qwest and to Qwest's
18 counsel. The Commission also granted intervention to e-spire Communications, Inc., American
19 Communications Services of Pima County, Inc., and ACSI Local Switched Services, Inc.
20 (collectively, "e-spire"), who filed an informal letter with the Commission requesting that the
21 matter be set for hearing. E-spire sent a copy of the letter to Qwest's Director of Public Policy
22 and Law, but not to Qwest's counsel. Qwest respectfully requests that the Commission amend
23 the Order to instruct that all future requests for intervention be made by formal motion, with
24 copies provided to counsel of record. Qwest also requests that the Commission establish a
25 deadline by which all motions to intervene must be filed.
26

1 Notably, Illuminet, a third-party SS7 provider, who filed a letter with the Arizona
2 Corporation Commission on August 22, 2001 requesting that the matter be set for hearing, has
3 never formally moved for or been granted intervention. Nevertheless, when this matter was
4 addressed at Open Meeting on August 29, 2001, Danny Oberg, Illuminet's Regulatory Manager,
5 indicated the Company's intent to participate in the hearing on this matter. See Reporter's
6 Transcript of Proceedings, August 29, 2001 at 125. Unless Illuminet moves for and is granted
7 intervenor status, it does not have the right to introduce evidence, or examine and cross-examine
8 witnesses at the hearing. See A.A.C. R14-3-104(A). Illuminet could, however, as a non-party
9 consumer, appear at the hearing and provide comment. See A.A.C. R14-3-105(C). In order that
10 all parties can prepare adequately for the up-coming hearing, Qwest moves the Commission to
11 amend its Order to clarify Illuminet's current status as a non-party and to establish a deadline by
12 which Illuminet must file a motion to intervene.

13 In addition, Qwest requests that the Commission amend its Order to establish dates for the
14 filing of testimony.

15 Respectfully submitted this 17th day of October, 2001.

16
17 FENNEMORE CRAIG

18
19 By 
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26

1 ORIGINAL and 10 copies of the
2 foregoing filed this 17th day of
3 October, 2001, with:

4 Docket Control
5 ARIZONA CORPORATION COMMISSION
6 1200 West Washington Avenue
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8 COPY of the foregoing hand delivered
9 this 17th day of October, 2001, to:

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11 Acting Director, Utilities Division
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15 Christopher Kempley
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20 Lyn Farmer, Chief Administrative Law Judge
21 Hearing Division
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24 Phoenix, AZ 85007

25 COPY of the foregoing mailed
26 this 17th day of October, 2001, to:

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