



BEFORE THE ARIZONA CORPORATION COMMISSION

257D

COMMISSIONERS

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

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AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF  
PAC-WEST TELECOMM, INC.  
  
Complainant,  
  
vs.  
  
QWEST CORPORATION,  
  
Respondent.

DOCKET NO. T-01051B-05-0495  
DOCKET NO. T-03693A-05-0495

PROCEDURAL ORDER

**BY THE COMMISSION:**

On July 13, 2005, Pac-West Telecomm, Inc. ("Pac-West") filed a Formal Complaint Regarding Enforcement of an Interconnection Agreement against Qwest Corporation ("Qwest").

On August 22, 2005, Qwest filed its Answer to Pac-West Telecomm's Complaint to Enforce its Interconnection Agreement and Counterclaims.

On September 14, 2005, Pac-West and Qwest each filed a simultaneous Opening Brief in this docket.

On October 19, 2005, the parties each filed a simultaneous Response Brief in this docket.

A hearing for the purpose of oral argument convened on October 24, 2005, before a duly authorized Administrative Law Judge of the Commission. Each party appeared with counsel and agreed that a recommended order should be issued based on the legal issues raised and argued in the docket and at oral argument. At the conclusion of the hearing, the matter was taken under advisement pending issuance of a recommended opinion and order.

Between December 7, 2005, and April 12, 2006, the parties made ten filings of supplemental authority.

On April 13, 2006, a Recommended Opinion and Order was issued.

On April 20, 2006, Qwest filed a Motion for an Order Suspending the Recommended Opinion

1 and Order, and for Additional Briefing, with Request for Expedited Consideration.

2 On April 21, 2006, Pac-West filed a Response to Qwest's Motion.

3 On April 24, 2006, Qwest filed Exceptions to the Administrative Law Judge's Recommended  
4 Opinion and Order.

5 IT IS THEREFORE ORDERED that the parties provide supplemental legal briefing no later  
6 than 12:00 p.m. on May 10, 2006, regarding the recent decision cited by Qwest in its Seventh Filing  
7 of Supplemental Authority and its April 20, 2006 Motion, *Global NAPs v. Verizon New England*,  
8 2006 WL 924035 (1<sup>st</sup> Cir., April 11, 2006) and how it may affect the Recommended Opinion and  
9 Order already issued in this matter.

10 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized  
11 Communications) applies to this proceeding and shall remain in effect until the Commission's  
12 Decision in this matter is final and non-appeable.

13 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive  
14 any portion of this Procedural Order by subsequent Procedural Order.

15 Dated this 25 day of April, 2006

  
17 AMY BJELLAND  
18 ADMINISTRATIVE LAW JUDGE

19 Copies of the foregoing mailed/delivered  
this 25 day of April, 2006 to:

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By:   
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Secretary to Amy Bjelland