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BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

Arizona Corporation Commission

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2001 OCT 29 P 12:00

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1
2 WILLIAM A. MUNDELL
CHAIRMAN
3 JIM IRVIN
COMMISSIONER
4 MARC SPITZER
COMMISSIONER

DOCKETED BY [Signature]

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6 IN THE MATTER OF THE APPLICATION OF
ICG TELECOM GROUP, INC. FOR A
7 CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE COMPETITIVE
8 FACILITIES-BASED AND RESOLD
INTRASTATE TELECOMMUNICATIONS
9 SERVICES IN ARIZONA

DOCKET NO. T-03566A-99-0743

PROCEDURAL ORDER

10 **BY THE COMMISSION:**

11 On December 23, 1999, ICG Telecom Group, Inc. ("Applicant" or "ICG") submitted to
12 Docket Control of the Arizona Corporation Commission ("Commission") an application for a
13 Certificate of Convenience and Necessity ("Certificate") to provide competitive facilities-based and
14 resold intrastate telecommunications services in Arizona.

15 On May 24, 2000 and July 5, 2000, ICG filed Amendments to its application.

16 On June 22, 2000, ICG filed Affidavits of Publication indicating compliance with the
17 Commission's notice requirements.

18 On August 23, 2000, the Commission's Utilities Division Staff ("Staff") filed a Staff Report.

19 On September 22, 2000, a Procedural Order was issued scheduling this matter for hearing on
20 November 30, 2000.

21 On October 10, 2000, ICG filed a Motion to Continue. ICG requested a continuance of all
22 deadlines, filings, and hearing dates.

23 On October 19, 2000, Staff filed a Response to ICG's Motion to Continue and indicated that it
24 does not oppose ICG's Motion.

25 On October 20, 2000 a Procedural Order was issued requesting the company to file an update
26 concerning the status of its application by January 19, 2001.

27 On January 19, 2001, ICG filed a Motion to Extend the Continuance since it will not begin
28 offering service in Arizona until late 2001 at the earliest.

1 On April 19, 2001, a Procedural Order was issued requiring ICG to file an update regarding
2 the status of its application and its readiness for a hearing by October 19, 2001.

3 On October 17, 2001, ICG filed an Update Concerning Status of Application ("Update")
4 indicating that, under its current business plan, it will not enter the Arizona market until late 2002.
5 ICG requested that a hearing be set in this matter on or after April 1, 2002. Staff contacted the
6 Hearing Division and stated it has no objection to ICG's request.

7 Based upon the numerous continuances in this matter and ICG's indication that it will not
8 enter the Arizona market until late 2002, the Commission will not set a hearing in this matter at this
9 time. Instead, the Commission will require ICG to file another update concerning the status of its
10 application in April of 2002. At that time, ICG should have a better idea of when it will enter the
11 market in Arizona. Once the Commission has that information, it will set a hearing date in this
12 matter.

13 IT IS THEREFORE ORDERED that this matter shall be continued as conditioned below.

14 IT IS FURTHER ORDERED that all filing deadlines and hearing dates from the September
15 22, 2000 Procedural Order shall be continued indefinitely, until further notice.

16 IT IS FURTHER ORDERED that ICG shall file with the Commission by April 1, 2002 an
17 update concerning the status of its application, including its readiness for a scheduled hearing date.

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

20 DATED this 29 day of October, 2001.

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PHILIP J. DION III
ADMINISTRATIVE LAW JUDGE

1 Copies of the foregoing mailed/delivered
2 this 29 day of October, 2001, to:

3 Albert H. Kramer
4 Valerie M. Furman
5 DICKSTEIN SHAPIRO MORIN & OSHINSKY, LLP
6 2101 L Street, NW
7 Washington, D.C. 20037-1526
8 Attorneys for ICG Telecom Group, Inc.

9 Amy Hartzler, Director of Regulatory and Government Affairs
10 ICG Communications, Inc.
11 161 Inverness Drive West
12 Englewood, Colorado 80012

13 Timothy Berg
14 FENNEMORE CRAIG
15 3003 North Central Avenue, Suite 2600
16 Phoenix, Arizona 85012-2913
17 Attorneys for Qwest Corporation

18 Christopher Kempley, Chief Counsel
19 Legal Division
20 ARIZONA CORPORATION COMMISSION
21 1200 West Washington Street
22 Phoenix, Arizona 85007

23 Ernest G. Johnson, Director
24 Utilities Division
25 ARIZONA CORPORATION COMMISSION
26 1200 West Washington Street
27 Phoenix, Arizona 85007

28 ARIZONA REPORTING SERVICE, INC.
29 2627 N. Third Street, Suite Three
30 Phoenix, Arizona 85004-1104

31 By:


32 Molly Johnson
33 Secretary to Philip J. Dion III