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Arizona Corporation Commission

BEFORE THE ARIZONA CORPORATION COMMISSION

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WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

AUG 21 2002

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DOCKETED BY *GM*

AZ CORP COMMISSION
DOCUMENT CONTROL

TROY & TRACY DENTON,

DOCKET NO. T-01051B-02-0535

vs.

QWEST CORPORATION.

APRIL & BRYANT PETERS,

DOCKET NO. T-01051B-02-0519

vs.

QWEST CORPORATION.

JOHN J. AND PATRICIA J. MARTIN,

DOCKET NO. T-01051B-02-0518

vs.

QWEST CORPORATION.

SUSAN BERNSTEIN,

DOCKET NO. T-01051B-02-0517

vs.

QWEST CORPORATION.

TOMMY L. WHITE

DOCKET NO. T-01051B-02-0516

vs.

QWEST CORPORATION

SANDRA RODR,

DOCKET NO. T-01051B-02-0515

vs.

QWEST CORPORATION,

KIRK & BOBBI LIMBURG,

DOCKET NO. T-01051B-02-0514

vs.

QWEST CORPORATION,

ARNOLD & TAMARA FATHEREE,

DOCKET NO. T-01051B-02-0513

vs.

QWEST CORPORATION,

ERNIE & SHERRY THOMPSON,

DOCKET NO. T-01051B-02-0512

vs.

QWEST CORPORATION.

PROCEDURAL ORDER

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2 **BY THE COMMISSION:**

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4 On July 9 and July 11, 2002, Troy and Tracy Denton, April and Bryant Peters, John H. and
5 Patricia J. Martin, Susan Bernstein, Tommy L. White, Sandra Rodr, Kirk and Bobbi Limburg, Arnold
6 and Tamara Fatheree, and Ernie and Sherry Thompson (hereinafter "Complainants") filed various
7 complaints Qwest Corporation ("Qwest") that basically stated the Complainants wished to receive
8 phone service, however, Qwest had refused to provide telephone service because the Complainants
9 were not within Qwest's service territory.

10 On July 26, 2002, the Arizona Corporation Commission ("Commission") Utilities Division
11 ("Staff") filed a Motion to Consolidate the above-captioned matters.

12 On July 31, 2002, Qwest filed a Motion that stated it agreed with Staff and requested that the
13 above-captioned matters be consolidated.

14 Additionally, on July 31, 2002, Qwest and Staff filed a Stipulation to Extend Time to File a
15 Consolidated Answer. In the filing, Qwest and Staff stipulated to Qwest filing a single consolidated
16 answer to the above-captioned complaints, and to extend the time for filing that single consolidated
17 answer to August 26, 2002.

18 To this date, the Commission has not received an objection from any of the Complainants
19 regarding the Motion to Consolidate or the Stipulation to Extend Time and File a Consolidated
20 Answer.

21 The Commission finds that pursuant to A.R.S. R14-3-109(H), the above-captioned matters
22 should be consolidated. The Commission finds that the issues in these matters are substantially
23 related, and that consolidation would result in a more expeditious resolution of these matters and does
24 not prejudice the rights of any of the parties. Additionally, the Commission finds that the filing of a
25 single consolidated answer would not prejudice the parties, and promotes efficiency and judicial
26 economy.

27 **IT IS THEREFORE ORDERED** that Staff's Motion to Consolidate and Qwest's subsequent
28 Joinder to Staff's Motion to Consolidate are granted and the above referenced dockets shall be

1 consolidated.

2 IT IS FURTHER ORDERED that Qwest's and Staff's Motion stipulating to the extension of
3 time and the filing of a consolidated answer is granted. Qwest shall file one consolidated answer
4 regarding the above-mentioned complaints on or before August 26, 2002.

5 IT IS FURTHER ORDERED that if any of the Complainants or Staff choose to file a reply to
6 Qwest's consolidated answer, then such reply must be received by the Commission on or before
7 September 27, 2002.

8 IT IS FURTHER ORDERED that a hearing in this matter shall take place on November 4,
9 2002 at 9:00 a.m. at the Commission's offices at 1200 West Washington Street, Phoenix, Arizona.

10 IT IS FURTHER ORDERED that the parties shall exchange witness and exhibit lists and
11 provide a copy to the presiding Administrative Law Judge on or before October 14, 2002.

12 IT IS FURTHER ORDERED that the parties shall file their witness and exhibit lists with
13 Docket Control of the Arizona Corporation Commission on or before October 14, 2002.

14 Dated this 21 day of August, 2002.

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PHILIP J. DION III
ADMINISTRATIVE LAW JUDGE

20 Copies of the foregoing mailed/delivered
21 this 21 day of August, 2002 to:

22 Troy and Tracy Denton
23 P.O. Box 26343
24 Prescott Valley, AZ 86312

25 April and Bryant Peters
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27 Prescott Valley, AZ 86312

28 John J. and Patricia J. Martin
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24
25 By: 
26 Molly Johnson
Secretary to Philip J. Dion III

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