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1 **MARC SPITZER**
Chairman
2 **WILLIAM A. MUNDELL**
Commissioner
3 **JIM IRVIN**
Commissioner
4 **MIKE GLEASON**
Commissioner
5 **JEFF HATCH-MILLER**
Commissioner

Arizona Corporation Commission

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JAN 22 2003

**AZ CORP COMMISSION
DOCUMENT CONTROL**

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BEFORE THE ARIZONA CORPORATION COMMISSION

8 RESIDENTS OF PRESCOTT VALLEY,
9 TRACY AND TROY DENTON, ET. AL.,

10 Complainants,

11 vs.

12 QWEST CORPORATION,

13 Respondent.

Docket No. T-01051B-02-0535

**QWEST CORPORATION'S MOTION TO
STAY FURTHER PROCEEDINGS UNTIL
RESOLUTION OF MIDVALE
TELEPHONE EXCHANGE, INC.
APPLICATION TO SERVE
COMPLAINANTS' AREA.**

15 Qwest Corporation ("Qwest") hereby moves the Arizona Corporation Commission
16 ("Commission") to stay further proceedings in the above-captioned docket until final resolution
17 of Midvale Telephone Exchange, Inc. ("Midvale") application to extend its service territory to
18 include all of the Complainants' properties in Docket No. T-02532A-03-0017.

19 On January 17, 2002, Qwest was informed that Midvale filed an application on January
20 10, 2002 to extend its service territory to include parts of Poquito Valley in Prescott Valley,
21 Arizona, including Section 11, T-15-N, R-1-W.¹ This Section contains all of the Complainants'
22 properties which are the subject of this Complaint. If Midvale's application is approved, it will
23 be the incumbent local exchange carrier ("ILEC") for Complainants and all of Section 11.
24 Commission approval, therefore, would render the Complainants' request for service from Qwest

25 _____
26 ¹ Please see Exhibit A, Midvale's Application to amend its certificate of convenience and necessity for a description and map of the boundaries.

1 in this Complaint moot. See also Decision No. 64828, *Bryan and Pam Dellinger v. Qwest*
2 *Corporation*, Docket No. T-01051B-01-0354, at 5-7.

3 Qwest is currently providing service to two addresses in Section 11: 10150 N. Poquito
4 Valley Road and 10195 N. Poquito Valley Road. Upon Commission approval of Midvale's
5 application, Qwest will transition these customers to Midvale and will coordinate with all parties
6 a cutover to Midvale's facilities for these customers.

7 For the reasons stated above, Qwest requests that any further proceedings in this matter be
8 stayed until Midvale's application is approved, denied, or such time as the Commission deems
9 appropriate.

10 DATED this 22nd day of January 2003.

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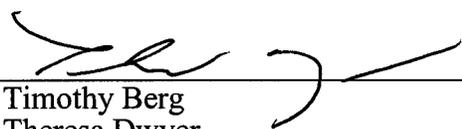
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By 
Timothy Berg
Theresa Dwyer
Darcy Renfro
FENNEMORE CRAIG, P.C.
3003 N. Central Avenue, Suite 2600
Phoenix, Arizona 85012-2913

-and-

Mark Brown
QWEST CORPORATION
3033 N. 3rd Street
Phoenix, AZ 85012
Telephone (602) 630-1181

Attorneys for Qwest Corporation

ORIGINAL +13 copies filed this
22nd day of January 2003:

Docket Control
ARIZONA CORPORATION COMMISSION
1200 West Washington
Phoenix, AZ

1 COPY delivered this 22nd day of January 2003:

2 Christopher Kempley
3 Legal Division
4 ARIZONA CORPORATION COMMISSION
5 1200 West Washington
6 Phoenix, AZ

7 Philip J. Dion III
8 Hearing Division
9 ARIZONA CORPORATION COMMISSION
10 1200 West Washington
11 Phoenix, AZ

12 David M. Ronald
13 Legal Division
14 ARIZONA CORPORATION COMMISSION
15 1200 West Washington
16 Phoenix, AZ

17 COPY of the foregoing mailed this 22nd day of
18 January, 2003, to:

19 Ernest and Sherry Thompson
20 P.O. Box 27016
21 Prescott Valley, AZ 86312

22 Troy and Tracy Denton
23 PO Box 26343
24 Prescott Valley, AZ 86312

25 Bryant and April Peters
26 PO Box 27302
Prescott Valley, AZ 86312

John J. and Patricia J. Martin
PO Box 25428
Prescott Valley, AZ 86312

Arnold and Tammy Fatheree
PO Box 26268
Prescott Valley, AZ 86312

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PO Box 27951
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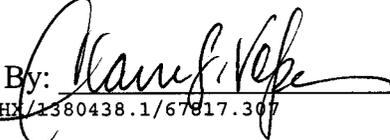
Kirk and Bobbi Limburg
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Prescott Valley, AZ 86312

Susan Bernstein
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Conley E. Ward
Cynthia A. Melillo
GIVENS PURSLEY, LLP
277 North Sixth Street, Suite 200
PO Box 2720
Boise, Idaho 83701-2720

Lane R. Williams
MIDVALE TELEPHONE EXCHANGE
PO Box 7
Midvale, Idaho 83645

By: 
PHX/1380438.1/67817.307

EXHIBIT

A

Conley E. Ward Idaho State Bar ID#1683
Cynthia A. Melillo Idaho State Bar ID#5819
GIVENS PURSLEY LLP
277 North 6th Street, Suite 200
P.O. Box 2720
Boise, Idaho 83701
(208) 388-1200
(208) 388-1300 (fax)
email: cew@givenspurslev.com

NEW APPLICATION

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Arizona Corporation Commission

Joe F. Tarver Arizona State Bar ID#4343
2960 N. Swan Road, Suite 300
Tucson, AZ 85712-1292
(520) 318-0800
(520) 318-0900 (fax)

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T-02532A-03-0017

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Attorneys for Applicant Midvale Telephone Exchange, Inc,

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE) APPLICATION OF MIDVALE
APPLICATION OF MIDVALE) TELEPHONE EXCHANGE, INC.
TELEPHONE EXCHANGE, INC.)
FOR AN AMENDMENT TO ITS)
CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY)

Midvale Telephone Exchange, Inc. ("Midvale"), through its counsel of record, hereby files this Application with the Arizona Corporation Commission ("Commission") for an amendment to Midvale's Certificate of Public Convenience and Necessity. In support whereof, Midvale states as follows:

I.

Midvale's principal business office is located at the following address:

Midvale Telephone Exchange, Inc.
P.O. Box 7
Midvale, ID 83645

II.

The following is a list of Midvale's officers and directors:

Officers

Lane R. Williams	President
Mary G. Williams	Secretary

Directors

Lane R. Williams
Mary G. Williams
Shirley Archer

III.

Midvale currently provides certificated telephone service to a number of communities in Arizona, and is in the process of providing service to the Millsite exchange.

IV.

Midvale requests Commission authorization to provide facilities-based, basic local exchange service and toll access telephone service to currently unserved residential developments known as Crossroads Ranch, Poquito Valley and Breezy Pine. All three communities are located near Midvale's Millsite exchange and Midvale intends to incorporate them in the Millsite exchange. Midvale has received petitions for service from the Crossroad Ranch Property Owners Association and individual residents in the affected areas. After conducting engineering and other studies, Midvale is satisfied it can economically and efficiently extend service to the three areas.

V.

Maps and legal descriptions of the proposed additions to the Millsite exchange are attached hereto as Exhibit A.

VI.

Midvale will provide the new customers with modern telecommunications services using state of the art equipment. Services to be provided include basic local exchange service, touch-tone service, high speed data services, access to toll services, access to emergency services (911), and Lifeline and Link-Up services for low income residents. Midvale's proposed telephone plant will include copper cable loops designed for broadband circuits, fiber optic cable transport facilities, next generation digital loop carrier, and modern digital switching. Midvale will construct the telephone plant in accordance with standards established by the federal Rural Utilities Services (formerly REA).

VII.

Midvale's tariff establishing rates and charges for the Millsite exchange is on file with the Commission, and Midvale does not anticipate any changes to its tariffs as a result of this application.

VIII.

Midvale asserts that the public interest, convenience and necessity require that Midvale be authorized to serve the additional area as requested herein.

IX.

Midvale will provide notice of this Application as may be required by Commission order.

X.

Midvale requests that all correspondence, pleadings or requests for information be directed to the following persons:

Conley E. Ward
Cynthia A. Melillo
GIVENS PURSLEY LLP
277 North Sixth Street, Suite 200
P.O. Box 2720
Boise, Idaho 83701-2720
Telephone: 208-388-1200
Facsimile: 208-388-1300

With copy to:

Lane R. Williams
Midvale Telephone Exchange, Inc.
P.O. Box 7
Midvale, Idaho 83645
Telephone: 800-462-4523
Facsimile: 208-355-2222

WHEREFORE, the Applicant, Midvale Telephone Exchange, Inc. respectfully requests that the Arizona Corporation Commission: 1) issue an order amending its Certificate of Public Convenience and Necessity authorizing Midvale to provide telecommunications services, including local exchange service, to the areas as designated and described in Exhibit A hereto; 2) and for such further relief as the Commission deems just and reasonable.

RESPECTFULLY SUBMITTED this 9th day of January 2003.

Cynthia A. Melillo
Conley E. Ward
Cynthia A. Melillo
GIVENS PURSLEY LLP
Attorneys for Midvale Telephone Exchange, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 9th day of January 2003, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Arizona Corporation Commission
1200 West Washington
Phoenix, AZ 85007

U.S. Mail Fax By Hand

Cynthia A. Melillo
Cynthia A. Melillo

MIDVALE TELEPHONE EXCHANGE, INC.
 PROPOSED
 CROSSROADS RANCH SERVICE BOUNDARIES

Sheet 1 of 2

Non-contiguous Area for Millsite Exchange

		R4W						R3W						R2W			
T 17 N	18	17	16	15	14	13	18	17	16	15	14	13	18	T 17 N			
	19	20	21	22	23	24	19	20	21	22	23	24	19				
	30	29	28	27	26	25	30	29	28	27	26	25	30				
	31	32	33	34	35	36	31	32	33	34	35	36	31				
T 16 N	6	5	4	3	2	1	6	5	4	3	2	1	6	T 16 N			
	7	8	9	10	11	12	7	8	9	10	11	12	7				
	18	17	16	15	14	13	18	17	16	15	14	13	18				
	19	20	21	22	23	24	19	20	21	22	23	24	19				
	30	29	28	27	26	25	30	29	28	27	26	25	30				
	31	32	33	34	35	36	31	32	33	34	35	36	31				
T 15.5 N	18	20	21	22	23	24	6	5	4	3	2	1	6	T 15 N			
	30	29	28	27	26	25	7	8	9	10	11	12	7				
	31	32	33	34	35	36	18	17	16	15	14	13	18				
T 15 N	6	5	4	3	2	1	19	20	21	22	23	24	19				
	7	8	9	10	11	12											
		R4W						R3W						R2W			

Proposed Non-contiguous Crossroads Ranch Sevice Boundaries as Follows:

BEGINNING at the southeast corner, Section 2, T-15-N, R-4-W, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona;

~~THENCE, west to the southwest corner, Section 4, T-15-N, R-4-W;~~
THENCE, north to the northwest corner, Section 33, T-15.5-N, R-4-W;
THENCE, east to the northwest corner, Section 34, T-15.5-N, R-4-W;
THENCE, north to the northwest corner, Section 27, T-15.5-N, R-4-W;
THENCE, east to the northwest corner, Section 26, T-15.5-N, R-4-W;
THENCE, north to the northwest corner, Section 26, T-16-N, R-4-W;
THENCE, east to the northwest corner, Section 25, T-16-N, R-4-W;
THENCE, north to the northwest corner, Section 24, T-16-N, R-4-W;
THENCE, east to the northwest corner, Section 19, T-16-N, R-3-W;
THENCE, north to the southwest corner, Section 31, T-17-N, R-3-W;
THENCE, west to the southwest corner, Section 34, T-17-N, R-4-W;
THENCE, north to the northwest corner, Section 22, T-17-N, R-4-W;
THENCE, east to the northeast corner, Section 24, T-17-N, R-3-W;
THENCE, south to the southeast corner, Section 36, T-17-N, R-3-W;
THENCE, west to the southeast corner, Section 35, T-17-N, R-3-W;
THENCE, south to the southeast corner, Section 2, T-16-N, R-3-W;
THENCE, west to the southeast corner, Section 3, T-16-N, R-3-W;
THENCE, south to the southeast corner, Section 10, T-16-N, R-3-W;
THENCE, west to the southeast corner, Section 7, T-16-N, R-3-W;
THENCE, south to the southeast corner, Section 31, T-16-N, R-3-W;
THENCE, west to the southeast corner, Section 36, T-16-N, R-4-W;
THENCE, south to the southeast corner, Section 24, T-15.5-N, R-4-W;
THENCE, west to the southeast corner, Section 23, T-15.5-N, R-4-W;

THENCE, south to the point of beginning being the southeast corner, Section 2, T-15-N, R-4-W, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona

MIDVALE TELEPHONE EXCHANGE, INC.
 PROPOSED
 POQUITO VALLEY SERVICE BOUNDARIES

Sheet 1 of 2

(Non-contiguous Area for Millsite, AZ)

		R1W	R1E		
27	26	25	30		
34	35	36	31		
		Dog Ranch Rd.		T16N	
3	2	1	6	T15N	
		Far Away Place			
10	11	12	7		
		Sparrow Hawk Rd.			
15	14	13	18		
		Morning Star Ranch Rd.			
22	23	24	19		

Poquito Valley Rd.
 Antelope Meadows Dr.

Proposed Non-contiguous Poquito Valley Sevice Boundaries as Follows:

BEGINNING at the southeast corner, Section 11, T-15-N, R-1-W, of
the Gila and Salt River Base and Meridian, Yavapai County, Arizona;

THENCE, west to the southwest corner, Section 11, T-15-N, R-1-W;

THENCE, north to the northwest corner, Section 35, T-16-N, R-1-W;

THENCE, east to the northeast corner, Section 35, T-16-N, R-1-W;

THENCE, south to the point of beginning being the southeast corner,
Section 11, T-15-N, R-1-W, of the Gila and Salt River Base and
Meridian, Yavapai County, Arizona

MIDVALE TELEPHONE EXCHANGE, INC.
 PROPOSED
 BREEZY PINE SERVICE BOUNDARIES

Sheet 1 of 2

(Non-contiguous Area for Millsite, AZ)

	R2W	R1W			
		19	20	21	22
24					
25		30	29	28	27
36		31	32	33	34
					T12.5N
					T12N
1		6	5	4	3
12		7	8	9	10

Proposed Non-contiguous Breezy Pine Sevice Boundaries as Follows:

BEGINNING at the southeast corner, Section 33, T-12.5-N, R-1-W, of
the Gila and Salt River Base and Meridian, Yavapai County, Arizona;

THENCE, west to the southwest corner, Section 32, T-12.5-N, R-1-W;

THENCE, north to the northwest corner, Section 32, T-12.5-N, R-1-W;

THENCE, east to the northwest corner, Section 33, T-12.5-N, R-1-W;

THENCE, north to the northwest corner, Section 28, T-12.5-N, R-1-W;

THENCE, east to the northeast corner, Section 28, T-12.5-N, R-1-W;

THENCE, south to the point of beginning being the southeast corner,

Section 33, T-12.5-N, R-1-W, of the Gila and Salt River Base and
Meridian, Yavapai County, Arizona