



0000059882

ORIGINAL

RECEIVED

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

2003 AUG 15 A 10:46

COMMISSIONERS

DOCKETED

AUG 15 2003

ARIZONA CORPORATION COMMISSION
DOCUMENT CONTROL

MARC SPITZER, Chairman
JIM IRVIN
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
FIRST MILE SERVICES, LLC dba FIRST MILE
TECHNOLOGIES FOR A CERTIFICATE OF
CONVENIENECE AND NECESSITY TO
PROVIDE RESOLD LONG DISTANCE, RESOLD
LOCAL EXCHANGE AND FACILITIES-BASED
LOCAL EXCHANGE TELECOMMUNICATIONS
SERVICES.

DOCKET NO. T-04144A-02-0762

PROCEDURAL ORDER

BY THE COMMISSION:

On October 7, 2002, First Mile Services, LLC dba First Mile Technologies ("First Mile" or "Applicant") filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide resold long distance and resold and facilities-based local exchange telecommunications services in the State of Arizona.

On August 6, 2003, the Commission's Utilities Division Staff ("Staff") filed its Staff Report.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the hearing on the above application shall commence on October 7, 2003, at 10:00 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that Applicant shall publish notice of its filing, as set forth below, in a newspaper(s) of general circulation in every county in Arizona in which Applicant desires to provide services by September 8, 2003, and shall file Affidavits of Publication with the Commission no later than September 22, 2003.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 **NOTICE OF APPLICATION AND HEARING FOR A CERTIFICATE**
2 **OF CONVENIENCE AND NECESSITY TO PROVIDE**
3 **RESOLD LONG DISTANCE AND RESOLD AND FACILITIES-BASED LOCAL**
4 **EXCHANGE TELECOMMUNICATIONS**
5 **BY FIRST MILE SERVICES, LLC dba FIRST MILE TECHNOLOGIES**
6 **Docket No. T-04144A-02-0762**

7 First Mile Services, LLC dba First Mile Technologies, LLC ("Applicant") has
8 filed with the Arizona Corporation Commission ("Commission") an application for a
9 Certificate of Convenience and Necessity ("Certificate") to provide resold long
10 distance and resold and facilities-based local exchange telecommunications services in
11 the State of Arizona. If the Certificate is granted, Applicant will be required by the
12 Commission to provide these services under the rates and charges and terms and
13 conditions established by the Commission.

14 The application, report of the Commission's Utilities Division Staff, and any
15 written exceptions to the staff report prepared by the applicant are available for
16 inspection during regular business hours at the offices of the Commission located at
17 1200 West Washington Street, Phoenix, Arizona 85007, and at Applicant, [address].

18 Under appropriate circumstances, interested parties may intervene in this
19 proceeding and participate as a party. Intervention shall be in accordance with A.A.C.
20 R14-3-105, except that all motions to intervene must be filed on or before August 1,
21 2003. Persons desiring to intervene must file a written motion to intervene with the
22 Commission and send such motion to the Company or its counsel and to all parties of
23 record. The motion to intervene must contain the following:

24 1. The name, address, and telephone number of the proposed intervenor and of
25 any party upon whom service of documents is to be made if different than the
26 intervenor.

27 2. A short statement of the proposed intervenor's interest in the proceeding
28 (e.g. a customer of the company, a shareholder of the company, a competitor, etc.).

 3. A statement certifying that a copy of the motion to intervene has been
 mailed to the Company or its counsel and to all parties of record in the case.

 A.A.C. R14-3-105 governs the granting of motions to intervene. The granting
 of intervention, among other things, entitles a party to present sworn evidence at the
 hearing and to cross-examine other witnesses. However, failure to intervene will not
 preclude any interested person or entity from appearing at the hearing and making a
 statement. The hearing is scheduled to commence on **October 7, 2003, at 10:00 a.m.**,
 at the Arizona Corporation Commission, 1200 West Washington Street, Phoenix,
 Arizona 85007. Please check with the Commission for any changes to the scheduled
 hearing date.

 If you have any written comments or want to intervene in this matter, mail an original
 and 13 copies to:

 The Arizona Corporation Commission
 Attention Docket Control
 re: First Mile Services, LLC dba First Mile Technologies
 T-04144A-02-0762
 1200 West Washington Street
 Phoenix, Arizona 85007

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

All written comments or motions to intervene should be filed by no later than **September 22, 2003.**

If you have any questions about this application, or want further information on intervention, you may contact the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodations such as sign language interpreter, as well as request this document in an alternative format by the ADA Coordinator, voice phone number 602/542-3931, E-Mail. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before September 22, 2003.

IT IS FURTHER ORDERED that Applicant shall file specific disagreements or comments, if any, regarding the application and/or Staff Report by September 8, 2003.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 – Unauthorized Communications) applies to this proceeding as the matter is now set for public hearing.

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

DATED this 15th day of August, 2003.



DWIGHT D. NODES
ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 15th day of August, 2003 to:

Rebecca Murphy
BENNET & BENNET
1000 Vermont Avenue NW, Tenth Floor
Washington, DC 20005

Christopher Kempley, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

...
...
...

1 Ernest Johnson, Director
2 Utilities Division
3 ARIZONA CORPORATION COMMISSION
4 1200 West Washington Street
5 Phoenix, Arizona 85007

6 ARIZONA REPORTING SERVICE, INC.
7 2627 N. Third Street, Suite Three
8 Phoenix, Arizona 85004-1104

9 By: 
10 Molly Johnson
11 Secretary to Dwight D. Nodes
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28