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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2006 OCT -3 P 3:41

Arizona Corporation Commission

DOCKETED

OCT -3 2006

JEFF HATCH-MILLER Chairman  
WILLIAM A. MUNDELL  
MIKE GLEASON  
KRISTIN K. MAYES  
BARRY WONG

AZ CORP COMMISSION  
DOCUMENT CONTROL

DOCKETED BY [nr]

IN THE MATTER OF THE APPLICATION OF  
ALLTEL COMMUNICATIONS, INC. FOR  
DESIGNATION AS AN ELIGIBLE  
TELECOMMUNICATIONS CARRIER  
PURSUANT TO SECTION 214(e)(2) OF THE  
COMMUNICATIONS ACT OF 1934.

DOCKET NO. T-03887A-03-0316

PROCEDURAL ORDER

BY THE COMMISSION:

On May 19, 2003, ALLTEL Communications, Inc. ("ALLTEL" or "Applicant") filed an application with the Arizona Corporation Commission ("Commission") for designation as an Eligible Telecommunications Carrier ("ETC") for federal universal service funding throughout ALLTEL's licensed service area in the State of Arizona. The May 19, 2003 application sought ETC designation for ALLTEL as a wireless provider in rural areas of Arizona served by rural local exchange carriers ("LECs"). ALLTEL also proposed to redefine rural LEC service areas for ETC purposes.

Intervention was granted to Table Top Telephone Company ("Table Top"), Arizona Telephone Company ("Arizona Telephone"), and Arizona Local Exchange Carriers Association ("ALECA").

A hearing was held on the application, and on November 2, 2004, the Commission issued Decision No. 67403 approving ALLTEL's application conditioned on ALLTEL's compliance with 11 conditions.

On December 15, 2004, ALLTEL filed a letter in this docket. ALLTEL stated in the letter that "the conditions placed on ALLTEL by the Decision No. 67403 exceed the conditions considered by the FCC [Federal Communications Commission] in the Virginia Cellular and subsequent orders or that ALLTEL has accepted in other states," and that it "must regretfully decline ETC designation in the state of Arizona."

On September 11, 2006, three items were filed in this docket: 1) A letter dated August 25,

1 2006 to the Director of the Commission's Utilities Division from ALLTEL stating that it "withdraws  
2 its December 15, 2004 letter and agrees to comply with the conditions of ETC designation  
3 established in Decision No. 67403"; 2) a request from the Commission's Utilities Division that a  
4 procedural conference be set; and 3) a letter from the Commission's Manager of Compliance and  
5 Enforcement stating that the Commission's Utilities Division had requested a procedural conference  
6 to discuss the appropriate process with respect to the August 25, 2006 letter and would not act on the  
7 letter pending the requested procedural conference.

8       It is appropriate to set a Procedural Conference for discussion of ALLTEL's August 25, 2006  
9 letter filed on September 11, 2006.

10       At the Procedural Conference, parties should be prepared to discuss, in association with  
11 filings made in this docket, whether ALLTEL owns WWC License LLC (Western Wireless  
12 Corporation), and any implications that filings in Docket No. T-04248A-04-0239 may have for this  
13 matter, including the Recommended Opinion and Order filed on August 23, 2005.<sup>1</sup> The parties to  
14 Docket No. T-04248A-04-0239 should therefore receive copies of this Procedural Order.

15       IT IS THEREFORE ORDERED that a **Procedural Conference** in the above-captioned  
16 matter shall commence on **October 20, 2006, at 1:30 p.m.** or as soon thereafter as practicable, at the  
17 Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

18       IT IS FURTHER ORDERED that parties should be prepared to discuss filings made in this  
19 docket, and that in addition, parties should also be prepared to discuss, in association with filings  
20 made in this docket, whether ALLTEL owns WWC License LLC (Western Wireless Corporation),  
21 and any implications that filings in Docket No. T-04248A-04-0239 may have for this matter.

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

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27 <sup>1</sup> On July 19, 2005, the FCC released a Memorandum Opinion and Order authorizing, subject to conditions, an  
28 application for the transfer of control of FCC licenses from WWC to ALLTEL.

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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 3<sup>d</sup> day of October, 2006.

  
TEENA WOLFE  
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed this 3 day of October, 2006 to:

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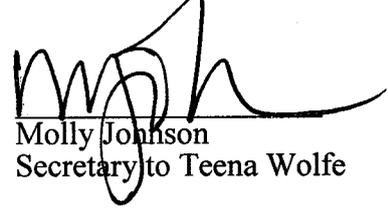
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