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THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

DEC 22 2006

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2006 DEC 22 A 8: 56

AZ CORP COMMISSION DOCUMENT CONTROL

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COMMISSIONERS

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

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,

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 By Procedural Order issued October 3, 2006, a Procedural Conference was set for October 20,  
9 2006 to allow the parties to discuss the appropriate process with respect to the August 25, 2006 letter.

10 On October 18, 2006, ALECA filed ALECA's Proposed Issues for Discussion at the October  
11 20, 2006 Procedural Conference and Notice of Intent to Participate as Intervenor.

12 The Procedural Conference was held as scheduled on October 20, 2006. ALLTEL, ALECA,  
13 and Staff appeared through counsel. After discussion, Staff stated that it would file a motion by  
14 November 1, 2006 requesting its desired relief in this docket. It was ordered that replies to that  
15 motion would be due 10 days thereafter.

16 On November 1, 2006, Staff filed its Motion of Commission Staff for an Order Accepting  
17 Alltel's Relinquishment of its ETC Status in Arizona ("Motion").

18 On November 13, 2006, ALLTEL filed its Response to Staff's Motion ("Response").

19 No other responses were filed.

20 Staff's Motion requests that the Commission enter an order formally recognizing ALLTEL's  
21 relinquishment of its ETC status in Arizona. ALLTEL's Response states that ALLTEL is not  
22 contesting the formal rescission of the ETC designation based on its letter of December 15, 2004.

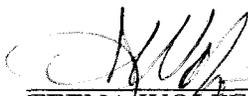
23 Staff's request is reasonable and should be granted.

24 IT IS THEREFORE ORDERED that by the letter ALLTEL Communications, Inc. filed in this  
25 docket on December 15, 2004, ALLTEL Communications, Inc. relinquished the designation as an  
26 Eligible Telecommunications Carrier for federal universal service funding conditionally granted in  
27 Decision No. 67403 (November 2, 2004).

28 IT IS FURTHER ORDERED that by the letter ALLTEL Communications, Inc. filed in this

1 docket on December 15, 2004, ALLTEL Communications, Inc. relinquished its request for  
2 redefinition of the study areas of Arizona Telephone Company, CenturyTel of the Southwest, Inc.,  
3 Midvale Telephone Exchange, Inc., Navajo Communications Company, South Central Utah  
4 Telephone Association, and Table Top Telephone Company to include only the wire centers in  
5 ALLTEL Communications, Inc.'s service area as conditionally approved in Decision No. 67403  
6 (November 2, 2004).

7 Dated this 22d day of December, 2006.

8  
9   
10 TEENA WOLFE  
11 ADMINISTRATIVE LAW JUDGE

12 Copies of the foregoing mailed this  
13 22 day of December, 2006 to:

14 Michael W. Patten  
15 ROSHKA DEWULF & PATTEN  
16 One Arizona Center  
17 400 East Van Buren Street, Ste. 800  
18 Phoenix, AZ 85004  
19 Attorneys for ALLTEL Communications, Inc.

20 John Hayes, General Manager  
21 TABLE TOP TELEPHONE COMPANY,  
22 INC.  
23 600 North Second Ave.  
24 Ajo, Arizona 85321

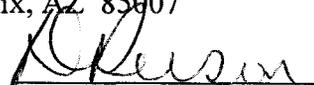
25 Jeffrey W. Crockett  
26 Deborah R. Scott  
27 Kimberly A. Grouse  
28 SNELL & WILMER  
One Arizona Center  
Phoenix, Arizona 85004-2202  
Attorneys for Arizona Telephone Company  
and Arizona Local Exchange Carriers  
Association

Philip R. Schenkenberg  
BRIGGS & MORGAN  
2200 IDS Center  
St. Paul, MN 55402

Timothy Berg  
Teresa Dwyer  
Darcy Renfro  
FENNEMORE CRAIG  
3003 North Central Ave., Suite 2600  
Phoenix, Arizona 85012-2913  
Attorneys for Qwest Corporation

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

Ernest G. Johnson, Director  
Utilities Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, AZ 85007

By:   
Debbi Person  
Secretary to Teena Wolfe

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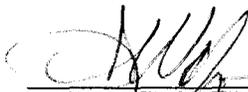
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2200 IDS Center  
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