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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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COMMISSIONERS

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

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AZ CORP COMMISSION
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IN THE MATTER OF THE PETITION OF
ESCHELON TELECOM OF ARIZONA, INC. FOR
ARBITRATION WITH QWEST CORPORATION,
PURSUANT TO 47 U.S.C. § 252 OF THE
FEDERAL TELECOMMUNICATIONS ACT OF
1996.

DOCKET NO. T-03406A-06-0572
DOCKET NO. T-01051B-06-0572

PROCEDURAL ORDER

BY THE COMMISSION:

On September 8, 2006, Eschelon Telecom of Arizona, Inc. ("Eschelon") filed with the Arizona Corporation Commission ("Commission") a Petition for Arbitration of an interconnection agreement with Qwest Corporation ("Qwest") pursuant to A.A.C. R14-2-1505 and Section 252(b) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996 ("the Act").

On October 6, 2006, a Procedural Order was issued establishing filing dates and the dates for arbitration.

On October 10, 2006, an Amended Procedural Order corrected a typographical error for the October 6, 2006 Procedural Order.

On October 23, 2006, a Joint Motion to Amend Arbitration Schedule ("Joint Motion") was filed by the parties. The Joint Motion requested that the current schedule be amended due to the burden of the witnesses that are also testifying in six (6) other states.

Good cause has been shown, and accordingly, the schedule should be amended.

IT IS THEREFORE ORDERED that the schedule set in place by the October 6, 2006 and October 10, 2006 Procedural Orders is hereby vacated.

IT IS FURTHER ORDERED that the **arbitration** in the above-captioned matter shall commence on **March 19, 2007, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, **1200 West Washington Street, Phoenix, Arizona**. The parties shall set aside time for additional days of hearing through **March 23, 2007**.

1 IT IS FURTHER ORDERED that the **deadline pursuant to Section 252 of the Act to**
2 **provide a final Order** in this matter continues to be suspended by agreement of the parties.

3 IT IS FURTHER ORDERED that **direct testimony** and associated exhibits to be presented at
4 the proceeding on behalf of Eschelon or Qwest shall be reduced to writing and filed, with copies
5 provided to the Arbitrator and the opposing party, on or before **November 8, 2006**.

6 IT IS FURTHER ORDERED that **rebuttal testimony** and associated exhibits to be presented
7 at the proceeding on behalf of Eschelon or Qwest shall be reduced to writing and filed, with copies
8 provided to the Arbitrator and the opposing party, on or before **February 9, 2007**.

9 IT IS FURTHER ORDERED that **surrebuttal testimony** and associated exhibits to be
10 presented at the proceeding on behalf of Eschelon or Qwest shall be reduced to writing and filed,
11 with copies provided to the Arbitrator and the opposing party, on or before **March 2, 2007**.

12 IT IS FURTHER ORDERED that a **telephonic pre-arbitration conference** shall be held on
13 **March 6, 2007 at 1:30 p.m.** for the purposes of discussing the scheduling of witnesses and the
14 conduct of the arbitration. The telephone number for the telephonic conference is 602 542-9001.

15 IT IS FURTHER ORDERED that Eschelon and Qwest shall file with the Arbitrator(s) the
16 following on or before **March 12, 2007**:

- 17 A) A joint pre-arbitration statement in a matrix format which sets forth all the
18 issues on which Eschelon and Qwest agree and all the issues on which they
19 disagree;
20 B) For those issues in which there is disagreement, Eschelon and Qwest should set
21 forth their respective positions including any applicable law and the manner in
22 which Eschelon and Qwest recommend their disagreement be resolved by the
23 Arbitrator(s); and
24 C) A Proposed interconnection agreement that sets forth those areas of agreement,
25 and for those areas of disagreement sets forth both Eschelon's and Qwest's
26 proposals.

27 IT IS FURTHER ORDERED that discovery shall be as permitted by law and the rules and
28 regulations of the Commission, except that: any objection to discovery requests shall be made within
seven days¹ of receipt; responses to discovery requests shall be made within ten days of receipt; and
the response time may be extended by mutual agreement of the parties involved if the request
requires an extensive compilation effort. No discovery requests shall be served after **March 5, 2007**.

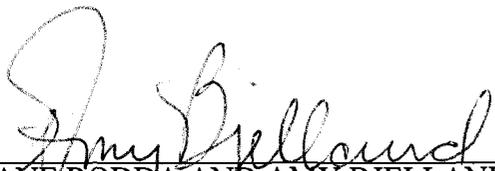
¹ "Days" refers to business days.

1 IT IS FURTHER ORDERED that all other provisions established in the October 6, 2006
2 Procedural Order shall remain unchanged.

3 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
4 Communications) applies to this proceeding and shall remain in effect until the Commission's
5 Decision in this matter is final and non-appealable.

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

8 Dated this 30 day of October, 2006

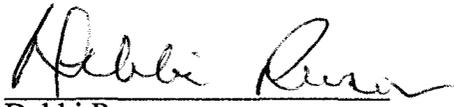
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10 
11 JANE RODDA AND AMY BJELLAND
12 ARBITRATORS

13 Copies of the foregoing mailed/delivered
this 30 day of October, 2006 to:

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