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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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2003 DEC 11 A 11: 53

MARC SPITZER, Chairman
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JEFF HATCH-MILLER
MIKE GLEASON
KRISTIN K. MAYES

DEC 11 2003

AZ CORP COMMISSION
DOCUMENT CONTROL

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IN THE MATTER OF THE APPLICATION OF
MIDVALE TELEPHONE EXCHANGE, INC. FOR
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.

DOCKET NO. T-02532A-03-0017

PROCEDURAL ORDER

BY THE COMMISSION:

On January 10, 2003, Midvale Telephone Exchange, Inc. ("Applicant" or "Midvale") submitted to the Arizona Corporation Commission ("Commission") an application requesting authority to expand its Millsite Exchange by amending its Certificate of Convenience and Necessity ("Certificate") to provide facilities-based local exchange and toll access telecommunications services to the residential developments known as Crossroads Ranch, Poquito Valley and Breezy Pine in the area of Prescott, Arizona. Midvale later amended its application to request two-way EAS service for its Millsite Exchange with Qwest Corporation ("Qwest") and Table Top Telephone Company ("Table Top"), which are also located in the Prescott area.

In Decision No. 66510 (November 10, 2003), the Commission granted Midvale's application requesting authority to amend its Certificate to provide facilities-based local exchange and toll access telecommunications services to the residential developments known as Crossroads Ranch, Poquito Valley and Breezy Pine. However, the Commission delayed its decision regarding Midvale's request to provide two-way EAS service with Qwest and Table Top, because it needed more information from the companies and determined that a public comment session in the Prescott area was necessary.

In Decision No. 66510, the Commission directed Midvale, Qwest, Table Top and Staff to file certain information with the Commission. The Commission ordered Qwest, Midvale and Table Top

1 to submit the necessary documentation to Staff on or before December 10, 2003, so that Staff can
2 evaluate the costs associated with implementing two-way EAS. The Commission also ordered Staff
3 to evaluate the information produced by Qwest, Midvale and Table Top and make a filing that states
4 Staff's recommendations regarding the costs and capital recovery associated with the implementation
5 of two-way EAS, on or before January 9, 2004. Further, the Commission ordered that, once reliable
6 cost data is determined by the parties, Midvale and Table Top are to poll their current and potential
7 customers, in a format approved by Staff, to determine if those customers would be willing to bear
8 the increased financial burden necessary, either in the form of an immediate monthly charge or at
9 some time in the future after a rate case has been approved, to support two-way EAS service to each
10 other's exchange and to Qwest's Local Calling Area, and file an affidavit stating the results of those
11 polls with Docket Control on or before February 9, 2004.

12 On December 3, 2003, Table Top made a filing stating that it does not intend on submitting
13 any of the documentation listed in Decision No. 66510, as it has withdrawn its request to implement
14 two-way EAS at this time.

15 Therefore, a public comment hearing should be held after Midvale has filed its affidavit
16 stating the results of its customer polls.

17 **IT IS THEREFORE ORDERED** that that a **public comment session in this matter shall**
18 **take place on February 26, 2004 at 6:00 p.m.** at the Prescott City Hall Chambers located at 201
19 South Cortez in Prescott, Arizona.

20 **IT IS FURTHER ORDERED** that Midvale shall provide notice of the public comment session
21 to its customers and/or property owners in its certificated area, either through the mailing of notice or
22 through publication, on or before January 19, 2004.

23 **IT IS FURTHER ORDERED** that Midvale shall file a copy of the aforementioned notice with
24 Docket Control on or before February 2, 2004.

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1 IT IS FURTHER ORDERED that the Ex Parte Rule is still in effect.

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

4 DATED this 11 day of December, 2003.

5
6 
7 PHILIP J. DION III
8 ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
10 this 11 day of December, 2003 to:

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12 Midvale Telephone Exchange, Inc.
13 P.O. Box 7
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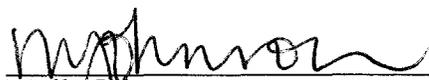
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