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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

2558

COMMISSIONERS

2007 FEB 15 A 11:45

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FEB 15 2007

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MIKE GLEASON
KRISTIN K. MAYES
GARY PIERCE

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY [nr]

IN THE MATTER OF THE THE APPLICATION OF DIECA COMMUNICATIONS DBA COVAD COMMUNICATIONS COMPANY, ESCHELON TELECOM OF ARIZONA, INC., MCLEODUSA TELECOMMUNICATIONS SERVICES, INC., MOUNTAIN TELECOMMUNICATIONS, INC., XO COMMUNICATIONS SERVICES, INC. AND QWEST CORPORATION REQUEST FOR COMMISSION PROCESS TO ADDRESS KEY UNE ISSUES ARISING FROM TRIENNIAL REVIEW REMAND ORDER, INCLUDING APPROVAL OF QWEST WIRE CENTER LISTS

- DOCKET NO: T-03632A-06-0091
T-03267A-06-0091
T-04302A-06-0091
T-03406A-06-0091
T-03432A-06-0091
T-01051B-06-0091

PROCEDURAL ORDER

BY THE COMMISSION:

On February 15, 2006, DIECA Communications, Inc., doing business as Covad Communications Company and Mountain Telecommunications, Inc., Eschelon Telecom of Arizona, Inc., McLeodUSA Telecommunications Services, Inc., and XO Communications Services, Inc. (collectively "Applicants" or "Joint CLECs") filed a request with the Arizona Corporation Commission ("Commission") to address key unbundled network element ("UNE") issues arising from the Federal Communications Commission's ("FCC") Triennial Review Remand Order ("TRRO"), including approval of Qwest Wire Center Lists.

By Procedural Order issued June 2, 2006, a hearing was scheduled for October 19, 20, and 23, 2006, a procedural schedule was established for filing testimony, and a Protective Order was issued to protect confidential information from disclosure.

By Procedural Order issued August 11, 2006, the hearing was rescheduled for October 26 and 27, 2006; a Motion to Compel filed by the Joint CLECs was granted; and all parties on the service list were directed to file, by August 31, 2006, an affirmative statement indicating their interest in remaining on the extensive service list in this proceeding.

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1 On October 20, 2006, the Joint CLECs and Qwest filed a Motion to Suspend the Hearing
2 Schedule. The parties requested that the hearing be suspended for up to 90 days to allow additional
3 time to evaluate the testimony that has been filed in this proceeding, to identify issues, and to explore
4 the possibility of a resolution of the issues.

5 By Procedural Order issued October 23, 2006, the Motion was granted. Several procedural
6 conferences have been conducted to discuss updates regarding the status of settlement negotiations
7 between the Joint CLECs and Qwest. At the conclusion of the last procedural teleconference,
8 conducted on January 18, 2007, the parties were directed to file a status report by February 9, 2007
9 regarding the settlement discussions.

10 On February 9, 2007, the Joint CLECs, Qwest, and Staff filed a Joint Status Report and
11 Request for Procedural Conference. According to the Status Report, discussions between the Joint
12 CLECs and Qwest are still in progress. However, the parties request that a procedural conference be
13 scheduled to determine how to proceed in this matter.

14 **IT IS THEREFORE ORDERED that a transcribed telephonic procedural conference shall**
15 **be scheduled for February 26, 2007, at 1:30 p.m. Parties are directed to call 602-542-9001 at**
16 **that time to connect to the conference call.**

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

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

4 Dated this 15th day of February, 2007

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7 DWIGHT D. NODES
8 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
10 this 15th day of February, 2007 to:

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