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BEFORE THE ARIZONA CORPORATION COMMISSION

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1 WILLIAM A. MUNDELL
2 CHAIRMAN
3 JIM IRVIN
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AZ CORP COMMISSION
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6 IN THE MATTER OF THE JOINT APPLICATION
7 OF TOUCH AMERICA SERVICES, INC. AND
8 TOUCH AMERICA, INC. FOR APPROVAL OF
9 ASSIGNMENT OF ASSETS AND TRANSFER OF
10 A CERTIFICATE OF CONVENIENCE AND
11 NECESSITY TO PROVIDE INTRASTATE
12 TELECOMMUNICATIONS SERVICES TO
13 TOUCH AMERICA, INC. AND WAIVER OF
14 CUSTOMER NOTIFICATION.

DOCKET NO. T-04011A-01-0303
DOCKET NO. T-03911A-01-0303

PROCEDURAL ORDER

BY THE COMMISSION:

11 On April 11, 2001, Touch America Services, Inc. ("TASI" or "Company") filed an
12 application for approval of the assignment of assets and transfer of its Certificate of Convenience and
13 Necessity ("CC&N") to Touch America, Inc. ("Touch America"). TASI received a CC&N to
14 provide resold, facilities-based interexchange telecommunications services, and alternative operator
15 services in Arizona pursuant to Decision No. 62672 (June 30, 2000). On June 30, 2001, the transfer
16 transaction closed and Touch America began serving Arizona customers. The Company currently
17 serves approximately 28,000 customers in Arizona.

18 On April 15, 2002, Staff filed its Staff Report in this matter recommending approval of the
19 application after a hearing, contingent on certain conditions. One of the conditions recommended by
20 Staff is that Touch America should be required to procure a performance bond of \$100,000.

21 On June 18, 2002, a Procedural Order was issued directing Staff to file an amended Staff
22 Report that contains the current Staff and Commission performance bond requirements as well as an
23 evaluation of the fair value of the property that the Applicant currently uses, and that it proposes to
24 use, to provide telecommunications services to Arizona customers. The June 18, 2002 Procedural
25 Order also scheduled a hearing for September 16, 2002 and directed TASI to publish notice of the
26 hearing.

27 On July 31, 2002, TASI filed a Motion to Reschedule Hearing. TASI requests that the
28

1 September 16, 2002 hearing date be rescheduled for September 30, 2002 because of a scheduling
2 conflict. Staff does not oppose the requested extension.

3 On August 5, 2002, Staff filed an amended Staff Report that revised certain of its
4 recommendations. Among other things, Staff recommends that TASI's performance bond
5 requirement should be increased to \$235,000 consistent with the most recent Staff and Commission
6 policy.

7 IT IS THEREFORE ORDERED that the hearing on the above application and petition of
8 Applicant shall be rescheduled to commence on September 30, 2002, at 10:00 a.m., or as soon
9 thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix,
10 Arizona 85007.

11 IT IS FURTHER ORDERED that in order to afford interested members of the public the
12 opportunity to comment on the application on the date and time set forth in the notice published for
13 this matter, this case shall be called on September 16, 2002, at 10:00 a.m., at the offices of the
14 Commission for the limited purpose of taking public comment, if any.

15 IT IS FURTHER ORDERED that in all other respects the June 18, 2002 Procedural Order
16 shall remain in full force and effect and, in accordance with that Order, any written direct testimony
17 shall be filed by August 19, 2002.

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

20 DATED this 7th day of August, 2002.

21 

22 DWIGHT D. NODES
23 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

24 Copies of the foregoing mailed/delivered
25 this 7th day of August, 2002 to:

26 Jonathon Marashlian
27 Helein Law Group, P.C.
28 8180 Greensboro Drive, Suite 700
Vienna, Virginia 22102

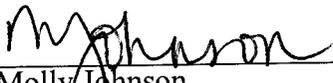
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6 Phoenix, Arizona 85007

7 Ernest Johnson, Director
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10 ARIZONA REPORTING SERVICE, INC.
2627 N. Third Street, Suite Three
11 Phoenix, Arizona 85004-1104

12 By:


13 Molly Johnson
14 Secretary to Dwight D. Nodes

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