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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

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COMMISSIONERS

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MIKE GLEASON, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
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DOCKETED BY [nr]

IN THE MATTER OF THE
INVESTIGATION INTO PREFERRED
CARRIER ARRANGEMENTS AND
OTHER POTENTIALLY
ANTICOMPETITIVE PRACTICES
INVOLVING SERVICE TO
RESIDENTIAL OR BUSINESS
DEVELOPMENTS

DOCKET NO. T-00000K-04-0927

COMMENTS OF ALECA IN
SUPPORT OF ACCIPITER'S
COMMENTS REGARDING
PREFERRED PROVIDER
AGREEMENTS AND REQUEST FOR
PROCEDURAL CONFERENCE

On March 22, 2007, Accipiter Communications, Inc. ("Accipiter") filed with the Arizona Corporation Commission ("Commission") Initial Comments of Accipiter Communications Regarding Preferred Provider Agreements and Request for Procedural Conference ("Initial Comments") in the above-referenced docket. The Arizona Local Exchange Carriers Association ("ALECA")¹, through counsel undersigned, hereby files these comments in support of Accipiter's Initial Comments.

Although ALECA is comprised of members who are rural ILECs, ALECA members have started encountering situations regarding the detrimental use of preferred provider arrangements ("PPAs") within ALECA members' certificated territories within Arizona and in other jurisdictions.² Although such use is not as prevalent as what is occurring in the more metropolitan areas of the State, ALECA believes that given the development that is and will occur in the rural areas, there will be a proliferation of the use of PPAs in the rural areas. This could result in the kind of alleged anti-competitive

¹ ALECA is an industry association of incumbent local exchange carriers ("ILECS") serving rural Arizona. Its members are the following: Arizona Telephone Company, Copper Valley Telephone, Frontier Communications, Midvale Telephone Exchange, Navajo Communications, South Central Communications, Southwestern Telephone Company, Table Top Telephone Company and Valley Telephone Cooperative.

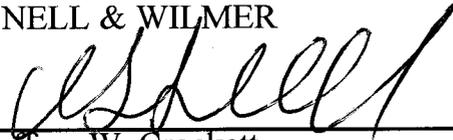
² This includes access to developer-owned trenches on private property.

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1 practices described in the Initial Comments which ultimately resulted in the adoption of
2 regulations in North Carolina. Such anti-competitive practices can be detrimental to
3 ILECs, other competitive local exchange carriers, as well as to ratepayers. As rural
4 ILECs with carrier of last resort obligations, ALECA members' have a heightened need
5 to be able to compete for new customers to help offset the higher fixed costs of serving
6 high cost areas. Therefore, ALECA believes that the Commission, through this generic
7 docket, should continue its investigation into PPAs. Moreover, ALECA supports
8 Accipiter's request for a procedural conference to be scheduled as expeditiously as
9 possible to establish the process whereby the issues may be fully evaluated by the
10 Commission with input from all interested parties.

11 RESPECTFULLY submitted this 18th day of April, 2007.

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Original and 13 copies of the foregoing filed this 18th day of April, 2007, with :

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