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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

AZ CORP COMMISSION
DOCKET CONTROL

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IN THE MATTER OF THE APPLICATION OF
 BROADWEAVE NETWORKS OF ARIZONA FOR
 A CERTIFICATE OF CONVENIENCE AND
 NECESSITY TO PROVIDE RESOLD LOCAL
 EXCHANGE AND FACILITIES-BASED LOCAL
 EXCHANGE TELECOMMUNICATIONS
 SERVICES IN THE STATE OF ARIZONA.

DOCKET NO. T-20514A-07-0113

PROCEDURAL ORDER

BY THE COMMISSION:

On February 21, 2007, Broadweave Networks of Arizona ("BNA" or "Applicant") submitted to the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate" or "CC&N") to provide resold long distance, resold local exchange and facilities-based local exchange telecommunications services within the State of Arizona. The Applicant also requested that its services be classified as competitive.

On March 23, 2007, the Commission's Utilities Division Staff ("Staff") filed a Letter of Insufficiency stating that the Applicant's application had not met the sufficiency requirements as outlined in the Arizona Administrative Code. ("A.A.C.").

On April 17, 2007, BNA filed its response to Staff's first set of data requests. Also on April 17, 2007, BNA filed a confidential supplement to its application.

On November 2, 2007, BNA filed a supplement to its first set of data requests.

On November 7, 2007, BNA filed a second supplement to its first set of data requests.

On November 7, 2007, Staff filed a Letter of Administrative Completeness in this matter.

On November 27, 2007, a Procedural Order was issued setting a hearing date on January 23, 2008, directing the Applicant to publish notice of the application and hearing date, and requiring Staff to file its Staff Report by December 21, 2007.

On December 21, 2007, Staff filed a Request for an Extension of Time, requesting a three-week extension of the Staff Report filing date, until January 11, 2008.

1 A teleconference was convened on December 21, 2007 with counsel for BNA, counsel for
2 Staff, and an Administrative Law Judge. The Applicant indicated it is not opposed to Staff's request
3 if the January 23, 2008, hearing date remains intact.

4 **IT IS THEREFORE ORDERED that Staff's Request for an Extension of Time is granted,**
5 **and the Staff Report shall be filed no later than January 11, 2008.**

6 **IT IS FURTHER ORDERED that the Applicant and intervenors shall file specific**
7 **objections or comments, if any, regarding the application and the Staff Report by no later than**
8 **January 18, 2008.**

9 **IT IS FURTHER ORDERED that the previously established hearing date shall remain in**
10 **effect, and the hearing shall convene on January 23, 2008, at 10:00 a.m.,** at the offices of the
11 Commission, 1200 West Washington, Phoenix, Arizona 85007.

12 **IT IS FURTHER ORDERED that, in all other respects, the November 27, 2007, Procedural**
13 **Order shall remain in full force and effect.**

14 **IT IS FURTHER ORDERED that all parties must comply with Rule 31 and 38 of the Rules of**
15 **the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro***
16 ***hac vice.***

17 **IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance**
18 **with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the**
19 **Rules of Arizona Supreme Court). Representation before the Commission includes to appear at all**
20 **hearings and procedural conferences, as well as all Open Meetings for which the matter is scheduled**
21 **for discussion, unless counsel has previously been granted permission to withdraw by the**
22 **Administrative Law Judge or the Commission.**

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

26 ...
27 ...
28 ...

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

3 Dated this 24th day of December, 2007.

4
5 
6 YVETTE B. KINSEY
7 ADMINISTRATIVE LAW JUDGE

8 Copies of the foregoing mailed/delivered
9 this 24th day of December, 2007 to:

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24 By: 
25 Debra Broyles
26 Secretary to Yvette B. Kinsey