

ORIGINAL



0000076285

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

DOCKETED

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

SEP 20 2007

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF
MATRIX TELECOM, INC. DBA MATRIX
BUSINESS TECHNOLOGIES FOR APPROVAL
OF A CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE FACILITIES BASED
LOCAL EXCHANGE TELECOMMUNICATIONS
SERVICES.

DOCKET NO. 03228-A-06-000

PROCEDURAL ORDER

RECEIVED
2007 SEP 20 A 26
AZ CORP COMMISSION
DOCKET CONTROL

BY THE COMMISSION:

On December 26, 2006, Matrix Telecom, Inc. dba Matrix Business Technologies ("Matrix" or "Applicant") submitted to the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide facilities-based local exchange telecommunications services and facilities-based long distance telecommunications services in Arizona.

On September 13, 2007, a Procedural Order was issued setting the matter for hearing.

On September 14, 2007, Matrix filed a Request for Witness to Appear by Telephone ("Request"). Upon review of the Staff Report filed on September 5, 2007, it is in the public interest that a witness appear at the hearing in person, specifically to address the issues contained in Section 6 of the Staff Report, "Review of Complaint Information", as well as to generally support the application and provide additional information or clarification. Accordingly, the Request should be denied.

IT IS THEREFORE ORDERED that the Request is hereby denied and Matrix's witness shall personally appear for the September 27, 2007 hearing.

IT IS FURTHER ORDERED that all provisions of the September 13, 2007, Procedural Order remain in effect.

IT IS FURTHER ORDERED that all parties must comply with Rule 38 of the Rules of the Arizona Supreme Court with respect to practice of law and admission *pro hac vice*.

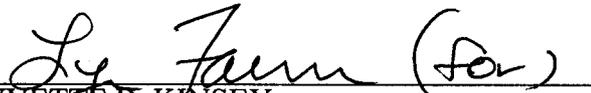
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

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

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

Dated this 20th day of September, 2007.


YVETTE B. KINSEY
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 20th day of September, 2007 to:

Dana Hoyle
MATRIX TELECOM, INC.
7171 Forest Lane, Suite 700
Dallas, TX 75230

Ernest G. Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

Michael W. Patten
ROSHKA, DEWULF & PATTEN
400 E. Van Buren, Suite 800
Phoenix, AZ 85004

Christopher Kempley, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

By: 
Debra Broyles
Secretary to Yvette B. Kinsey