



25

0000083972

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

RECEIVED
AZ CORP COMMISSION

JIM IRVIN
COMMISSIONER-CHAIRMAN
TONY WEST
COMMISSIONER
CARL J. KUNASEK
COMMISSIONER

DOCKETED

APR 19 1 40 PM '99

APR 19 1999

DOCUMENT CONTROL

DOCKETED BY
My

IN THE MATTER OF PLAN TO IMPLEMENT
TOLL CARRIER PRESUBSCRIPTION SYSTEM
BASED ON STATE RATHER THAN LATA
BOUNDARIES.

DOCKET NO. RT-00000J-99-0095

PROCEDURAL ORDER

BY THE COMMISSION:

On February 16, 1999, US WEST Communications, Inc. ("US WEST") filed a Petition for Order Concerning Toll Carrier Presubscription Plan. US WEST requested that the Commission "enter an order (i) finding that it is in the public interest that US WEST be authorized to provide all in-state toll calls within the state of Arizona; and (ii) establish a rule making procedure adopting a toll carrier presubscription system based on state borders rather than Local Access and Transport Area ('LATA') borders, to be effective immediately upon US WEST obtaining the ability to offer in-state interLATA long distance services within Arizona and directing carriers in Arizona to file implementation plans detailing the steps they will take to be ready for an immediate transition to a state-based system."

On March 31, 1999, the Commission's Utilities Division Staff ("Staff") filed its Response to US WEST's Petition. Staff recommended that the Commission grant US WEST's Petition to the extent that it requests the commencement of a proceeding at this time to examine modifying the existing presubscription system, effective upon US WEST's obtaining Section 271 authority from the FCC. Staff believes that an examination of these issues at this time would provide for a more orderly transition in the event US WEST obtains Section 271 authority from the FCC.

Staff opposes the Petition to the extent that it could be interpreted as requesting an immediate determination by the Commission, outside the Section 271 process, that US WEST's provision of interLATA long distance is in the public interest. Staff believes that to the extent that US WEST seeks such a public interest determination at this time, it is premature since this is a component of the Section 271 proceeding now pending before the Commission in Docket No. T-0000B-97-238.

1 Further, Staff states that in 1997, the FCC ruled in a Declaratory Order that the States had no
2 authority to redefine LATA boundaries, in response to a similar response by US WEST in Arizona
3 and Minnesota.

4 Accordingly, a procedural conference should be convened on Monday, April 26, 1999, at
5 10:00 a.m., to hear oral arguments on U S WEST's request for an immediate determination by the
6 Commission, outside the Section 271 process, that U S WEST be authorized to provide all in-state
7 toll calls within the State of Arizona.

8 IT IS THEREFORE ORDERED that a procedural conference shall be held on April 26, 1999,
9 at 10:00 a.m., at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

10 DATED this 19th day of April, 1999.

11 
12 _____
13 JERRY L. RUDIBAUGH
14 CHIEF HEARING OFFICER

15 Copies of the foregoing mailed/delivered
16 this 19th day of April, 1999 to:

17 Timothy Berg
18 FENNEMORE CRAIG
19 3003 North Central Avenue, Suite 2600
20 Phoenix, Arizona 85012
21 Attorneys for U S WEST Communications, Inc.

22 Thomas Dethlefs
23 U S WEST Law Department
24 1801 California Street, Suite 5100
25 Denver, Colorado 80202

26 Thomas F. Dixon, Senior Attorney
27 MCI TELECOMMUNICATIONS CORPORATION
28 707 17th Street, Suite 3900
Denver, Colorado 80202

Richard S. Wolter
AT&T
1875 Lawrence Street, Room 1575
Denver, Colorado 80202

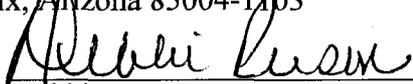
1 Donald A. Low, Senior Attorney
2 SPRINT COMMUNICATIONS COMPANY L.P.
3 8140 Ward Parkway – 5E
4 Kansas City, MO 64114

5 Steven J. Duffy
6 RIDGE & ISAACSON, P.C.
7 3101 North Central Avenue, Suite 432
8 Phoenix, Arizona 85012

9 Paul Bullis, Chief Counsel
10 Legal Division
11 ARIZONA CORPORATION COMMISSION
12 1200 West Washington Street
13 Phoenix, Arizona 85007

14 Director, Utilities Division
15 ARIZONA CORPORATION COMMISSION
16 1200 West Washington Street
17 Phoenix, Arizona 85007

18 ARIZONA REPORTING SERVICE, INC.
19 2627 N. Third Street, Suite Three
20 Phoenix, Arizona 85004-1103

21 By: 
22 Debbi Person
23 Secretary to Lyn Farmer
24
25
26
27
28