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1 ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION

2  
3 COMMISSIONERS

4 MIKE GLEASON, Chairman  
5 WILLIAM A. MUNDELL  
6 JEFF HATCH-MILLER  
7 KRISTIN K. MAYES  
8 GARY PIERCE

RECEIVED Arizona Corporation Commission  
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AZ CORP COMMISSION  
DOCKET CONTROL

DOCKETED BY MA

9 IN THE MATTER OF THE APPLICATION OF  
10 DIECA COMMUNICATIONS DBA COVAD  
11 COMMUNICATIONS COMPANY, ESCHELON  
12 TELECOM OF ARIZONA, INC., MCLEODUSA  
13 TELECOMMUNICATIONS SERVICES, INC.,  
14 MOUNTAIN TELECOMMUNICATIONS, INC.,  
15 XO COMMUNICATIONS SERVICES, INC. AND  
16 QWEST CORPORATION'S REQUEST FOR  
17 COMMISSION PROCESS TO ADDRESS KEY  
18 UNE ISSUES ARISING FROM TRIENNIAL  
19 REVIEW REMAND ORDER, INCLUDING  
20 APPROVAL OF QWEST WIRE CENTER LISTS.

DOCKET NO. T-03632A-06-0091  
T-03267A-06-0091  
T-04302A-06-0091  
T-03406A-06-0091  
T-03432A-06-0091  
T-01051B-06-0091

PROCEDURAL ORDER

21 **BY THE COMMISSION:**

22 On May 20, 2008, in Decision No. 70355, the Arizona Corporation Commission  
23 ("Commission") approved a Settlement Agreement between Qwest Corporation ("Qwest") and  
24 DIECA Communications, Inc., doing business as Covad Communications Company and Mountain  
25 Telecommunications, Inc. ("Covad"); Eschelon Telecom of Arizona, Inc. ("Eschelon"); McLeodUSA  
26 Telecommunications Services, Inc. ("McLeod"); and XO Communications Services, Inc. ("XO")  
27 (collectively "Joint CLECs"). The Settlement Agreement resolved issues between Qwest and the  
28 Joint CLECs concerning Qwest's initial list of unimpaired wire centers, and established procedures  
that would apply between the parties with respect to future Qwest filings to update the unimpaired  
wire center list.

On June 5, 2008, Qwest filed a Request for Procedural Conference to make determinations  
related to its 2007 application to update the unimpaired wire center list ("2007 Additions  
Application"), including, but not limited to, securing a protective order to be used in connection with  
the 2007 Additions Application and future applications.

Pursuant to Procedural Orders dated June 13, 2008 and June 19, 2008, a Procedural

1 Conference convened on June 30, 2008. As of that date the Commission's Utilities Division ("Staff")  
2 had not reviewed the proposed form of protective order being offered by Qwest and the Joint CLECs.

3 On July 22, 2008, Staff filed its comments on Qwest's and the Joint CLECs' proposed form  
4 of protective order. Staff proposed utilizing its standard form of protective order or the form of  
5 protective order that had been approved for an earlier phase of this proceeding.

6 Staff's proposed form of protective order and the earlier version of protective order differ  
7 from each other and from the most recently proposed form of protective order offered by Qwest and  
8 the Joint CLECs. The record is not clear whether the parties have attempted to negotiate a  
9 compromise form of protective order or whether they have substantive concerns about the effect of  
10 the other parties' form of protective order. In an attempt to devise a protective order under which all  
11 parties can operate, Staff, Qwest, and Joint CLECs should attempt to reconcile their positions. To the  
12 extent they can reach agreement, the parties should file the agreed form of protective order in this  
13 docket. In the event they are unable to reach agreement, the Commission will convene a Procedural  
14 Conference to resolve specific disputes.

15 IT IS THEREFORE ORDERED that the parties shall confer and attempt to reconcile the  
16 differences in the proposed forms of protective orders that have been filed in this docket.

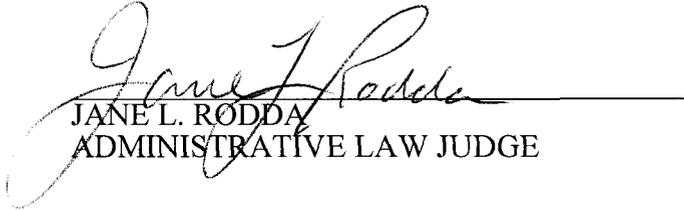
17 IT IS FURTHER ORDERED that the parties shall **file** their mutually agreed **form of**  
18 **protective order** in this docket by **August 13, 2008**.

19 IT IS FURTHER ORDERED that in the event the parties are unable to reach agreement on  
20 the form of protective order, a **Procedural Conference** shall convene on **August 19, 2008, at 1:30**  
21 **p.m.**, or as soon thereafter as is practical at the Commission's **Tucson office, Room 222**, 400 West  
22 Congress Street, Tucson, Arizona. The August 19, 2008, Procedural Conference will be vacated in  
23 the event the parties agree on a form of protective order.

24 IT IS FURTHER ORDERED that **the parties may participate in the August 19, 2008,**  
25 **Procedural Conference telephonically**. The call-in number for the Procedural Conference is **(602)**  
26 **771-9953**.

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

4 Dated this 29<sup>th</sup> day of July, 2008.

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6  
7   
8 JANE L. RODDA  
ADMINISTRATIVE LAW JUDGE  
9

10 Copies of the foregoing mailed/delivered  
11 this 29<sup>th</sup> day of July, 2008 to:

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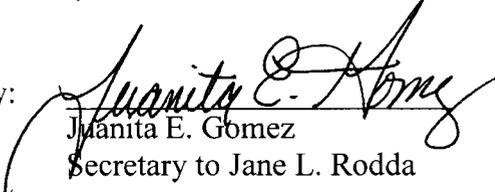
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25 Secretary to Jane L. Rodda  
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