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ORIGINAL

MEMORANDUM
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2009 JUN 19 A 9:20

Arizona Corporation Commission

FROM: Ernest G. Johnson
Director
Utilities Division

EA for EGJ
AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED

JUN 19 2009

DATE: June 19, 2009

DOCKETED BY 

RE: IN THE MATTER OF THE NOTICE OF PROPOSED RULE AMENDMENT FOR
FIXED UTILITY RULES R14-2-207, R14-2-208, R14-2-209, R14-2-506, AND R14-
2-507 (DOCKET NOS. RE-00000C-08-0394 AND RT-00000J-08-0394)

On March 17, 2009, in Decision No. 70848, the Commission approved the Notice of Proposed Rulemaking to amend A.A.C. R14-2-207, R14-2-208, R14-2-209, R14-2-506, and R14-2-507 of the Fixed Utilities Rules related to electric utilities and telephone utilities. The recommended amendments would:

- a. Update references to the 1997 National Electrical Safety Code to the 2007 edition;
- b. Update the reference to the 1995 ASME Code for Pressure Piping to the 2007 edition, which has a revised title;
- c. Update the reference to the 1989 American National Standard for Electric Power Systems and Equipment-Voltage Ratings (60 Hertz) to the 2006 edition;
- d. Update the reference to the 1995 American National Standard Code for Electricity Metering to the 2008 edition, which has a revised title;
- e. Expressly identify the publishers of the materials incorporated by reference, to be consistent with A.R.S. § 41-1028 and the rules of the Secretary of State;
- f. Update the mailing addresses and add website addresses for the publishers of the materials incorporated by reference;
- g. Change the location where the materials incorporated by reference are on file, from the Office of the Secretary of State to the Commission, to be consistent with A.R.S. § 41-1028 and the rules of the Secretary of State; and
- h. Make minor stylistic revisions to the affected subsections to make the subsections more clear, concise, and understandable.

Decision No. 70848 ordered that interested persons are requested to provide comments in response to other interested persons' comments by filing written comments with the Commission's Docket Control by June 1, 2009; may file written comments on the Notice of Proposed Rulemaking with the Commission's Docket Control through June 4, 2009; and/or may provide oral comments on the Notice of Proposed Rulemaking at the oral proceeding to be held

on June 4, 2009. Further, the Decision ordered that the Utilities Division shall, no later than thirty days after the oral proceeding in this matter, file with the Commission's Docket Control a document including (1) a summary of any written comments that were filed by interested persons after Staff's prior filing, (2) a summary of any oral comments provided at the oral proceeding in this matter, and (3) the Utilities Division's response to the comments.

There were no initial or reply comments filed in this docket by interested parties. Further, no oral comments were presented by interested parties at the oral proceeding held on June 4, 2009. A representative of APS was present at the oral proceeding but offered no public comment. Therefore, Staff has no summary or responses to provide.

In addition, the Decision ordered that the Utilities Division shall, on or before June 19, 2009, file with the Commission's Docket Control either a revised Economic, Small Business, and Consumer Impact Statement or a memorandum explaining why no revision of the prior filed Economic, Small Business, and Consumer Impact Statement is necessary.

There were no initial or reply comments filed in this docket by interested parties. Further, no oral comments were presented by interested parties at the oral proceeding held on June 4, 2009. A representative of APS was present at the oral proceeding but offered no public comment. Therefore, Staff is unaware of any issues which would necessitate a revision to the prior filed Economic, Small Business and Consumer Impact Statement.

EGJ:RLB:lh

Service List

Ajo Improvement Company
Post Office Drawer 9
Ajo, Arizona 85321

APS Energy Services Company, Inc.
400 East Van Buren Street
Phoenix, Arizona 85004

Arizona Electric Power Cooperative, Inc.
Post Office Box 670
Benson, Arizona 85602

Arizona Public Service Company
Post Office 53999 Station 9905
Phoenix, Arizona 85072

Columbus Electric Cooperative, Inc.
Post Office Box 631
Deming, New Mexico 88031

Dixie-Escalante Rural Electric
Association, Inc.
71 East Highway 56
Beryl, Utah 84714-5197

Duncan Valley Electric Cooperative, Inc.
Post Office Box 440
Duncan, Arizona 85534

Garkane Energy Cooperative, Inc.
Post Office Box 465
Loa, Utah 84747

Graham County Electric Cooperative, Inc.
Post Office Drawer B
Pima, Arizona 85543

Mohave Electric Cooperative, Inc.
Post Office Box 1045
Bullhead City, Arizona 86430

Morenci Water and Electric Company
Post Office Box 68
Morenci, Arizona 85540

Navopache Electric Cooperative, Inc.
1878 West White Mountain Boulevard
Lakeside, Arizona 85929

PDM Energy, LLC
One North Central Avenue
Phoenix, Arizona 85004

Sempra Energy Solutions, LLC
101 Ash Street
San Diego, California 92101

Sulphur Springs Valley Electric Coop., Inc.
Post Office Box 820
Wilcox, Arizona 85644

Trico Electric Cooperative, Inc.
Post Office Box 930
Marana, Arizona 85653

Tucson Electric Power Company
Attn: David Couture
Post Office Box 711, MS UE201
Tucson, Arizona 85702

UNS Electric, Inc.
Attn: David Couture
Post Office Box 711, MS UE201
Tucson, Arizona 85702

Mr. Patrick Sherrill
Accipiter Communications
2238 Lone Cactus Drive, Suite 100
Phoenix, Arizona 85027-2641

Mr. Jeff Handley
Manager, State Government Affairs
TDS Telecom
10025 Investment Drive, Suite 200
Knoxville, Tennessee 37932
(Arizona Telephone, Southwestern
Telephone)

Dr. Curt Huttzell, Ph.D.
Director, State Government Affairs
Frontier Communications Solutions
P.O. Box 708970
Sandy, Utah 84070
(Citizens Utilities Rural Company, Citizens
Communications Company of the White
Mountains and Navajo Communications
Company)

Mr. Steve Child
Midvale Telephone Exchange
Post Office Box 7
Midvale, Idaho 83645

Mr. Norm Curtright
Corporate Counsel
Qwest Corporation
20 East Thomas Road, 16th Floor
Phoenix, Arizona 85012

Valley Telephone Cooperative
725 East Maley
Wilcox, Arizona 85644-0970
(Copper Valley Telephone and Valley Telephone
Cooperative)

Ms. Brenda Crosby
Rio Virgin Telephone
Post Office Box 189
Estacada, Oregon 97023

Mr. Marc McLemore
South Central Utah Telephone
Post Office Box 555
Escalante, Utah 84726

Mr. John Hayes
General Manager
Table Top Telephone Company
600 North Second Avenue
Ajo, Arizona 85321

Mr. Jesse B. Tresler
Verizon California
112 S Lakeview Canyon Road – CA501GC
Thousand Oaks, California 91362-3811

360networks (USA) Inc.
867 Coal Creek Circle, Suite 160
Louisville, Colorado 80027

AboveNet Communications, Inc.
Attn: Tax Dept
360 Hamilton Ave., 7th Floor
White Plains, New York 10601

ACN Communication Services, Inc.
32991 Hamilton Court
Farmington, Michigan 48334

American Fiber Systems, Inc.
100 Meridian Centre, Suite 250
Rochester, New York 14618

Andiamo Telecom, LLC
10575 North 114th Street, Suite 103
Scottsdale, Arizona 85259

Arizona Dial Tone, Inc.
6115 South Kyrene Road, Suite 103
Tempe, Arizona 85283

AT&T Communications of the
Mountain States Inc.
Attn: Cindy Hardy
One AT&T Way, Room 28115E
Bedminster, New Jersey 07921

AZX Connect, LLC
Lewis and Roca
40 North Central Avenue
Phoenix Arizona 85004

Aztech Communications, LLC
6870 South Highway 95, Suite 451
Mohave Valley, Arizona 86440

BullsEye Telecom, Inc.
25900 Greenfield Road, Suite 330
Oak Park, Michigan 48237

Cbeyond Communications, LLC
Mr. William Weber
Vice President and Corporate Counsel
320 Interstate North Parkway, Suite 300
Atlanta, Georgia 30339

CCG Communications, LLC
321 Walnut Street, Suite 170
Newton, Massachusetts 02460

CenturyTel Solutions, LLC
100 CenturyTel Drive
Monroe, Louisiana 71203

CityNet Arizona, LLC
709 Beechurst Avenue, Suite 14-A
Morgantown, West Virginia 26330

CM Tel (USA) LLC
700 Wilshire Street, Suite 750
Los Angeles, California 90017

Comcast Phone of Arizona, LLC
Attn: Lisa Moglia
One Comcast Center
Philadelphia, Pennsylvania 19103

CommPartners, LLC
3291 North Buffalo Drive, Suite 150
Las Vegas, Nevada 89129

Comtel Telcom Assets LP
dba Excel Telecommunications
Ms. Deena Falk
433 East Las Colinas Boulevard, Suite 1300
Irving, Texas 75039

Comtel Telcom Assets LP
dba VarTec Telecom
Ms. Deena Falk
433 East Las Colinas Boulevard, Suite 1300
Irving, Texas 75039

Cox Arizona Telcom, LLC
Mr. Mark DiNunzio
1550 West Deer Valley Road
Phoenix, Arizona 85027

Cypress Communications
Operating Company, Inc.
15 Piedmont Center, Suite 610
Atlanta, Georgia 30305

DIECA Communications, Inc
7901 Lowry Boulevard, 2nd Floor
Denver, Colorado 80230

DSLnet Communications, LLC
50 Barnes Park North, Suite 104
Wallingford, Connecticut 06492

Electric Lightwave, LLC
1201 Northeast Lloyd Boulevard, Suite 500
Portland, Oregon 97232

Ernest Communications, Inc.
5275 Triangle Parkway, Suite 150
Norcross, Georgia 30092

Eschelon Telecom of Arizona
c/o Integra Telecom
6160 Golden Hills Drive
Golden Valley, Minnesota 55416

Frontier Communications of
America, Inc.
Post Office Box 708970
Sandy, Utah 84070-8970

Gila Local Exchange Carrier
Box 5015
7065 West Allison Road
Chandler, Arizona 85226

Global Connection Inc. of America
3957 Pleasantdale Road
Atlanta, Georgia 30340

Global Crossing Local Services, Inc.
225 Kenneth Drive
Rochester, New York 14623

Global Crossing Telemanagement, Inc.
225 Kenneth Drive
Rochester, New York 14623

Granite Telecommunications, LLC
100 Newport Avenue
Quincy, Massachusetts 02171

IDT America, Corporation
520 Broad Street
Newark, New Jersey 07102

Integra Telecom, Inc
Mr. J. Jeffery Oxley, General Counsel
1201 Northeast Lloyd Boulevard, Suite 500
Portland, Oregon 97232

Ionex Communications North, Inc.
2300 Main Street, Suite 600
Kansas City, Missouri 64108

KMC Data, LLC
5300 Oakbrook Parkway, Suite 330
Norcross, Georgia 30093

Level 3 Communications, LLC
1025 Eldorado Boulevard
Broomfield, Colorado 80021

Looking Glass Networks
Level 3 Communications, LLC
1025 Eldorado Boulevard
Broomfield, Colorado 80021

Matrix Telecom, Inc.
7171 Forest Lane, Suite 700
Dallas, Texas 75230

MCImetro Access Transmission Svcs., LLC
201 Spear Street, 9th Floor
San Francisco, California 94105

McLeodUSA Telecom. Services, Inc.
6400 C Street
Post Office Box 3177
Cedar Rapids, Iowa 52406

Metropolitan Telecom. of AZ, Inc.
44 Wall Street, 6th Floor
New York, New York 10005

Mohave Cooperative Services, Inc.
Post Office Box 20037
Bullhead City, Arizona 86439

Mountain Telecommunications of AZ, Inc.
c/o Integra Telecom
6160 Golden Hills Drive
Golden Valley, Minnesota 55416

National Brands, Inc.
dba Sharenet Communications
4633 West Polk Street
Phoenix, Arizona 85043

Navigator Telecommunications, LLC.
8525 Riverwood Park Drive
Post Office Box 13860
North Little Rock, Arkansas 72113-0860

Neutral Tandem-Arizona, LLC
1 South Wacker Drive, Suite 200
Chicago, Illinois 60606

New Access Communications, LLC
60 South 6th Street, Suite 2535
Minneapolis, Minnesota 55402

New Edge Network, Inc.
dba New Edge Networks
3000 Columbia House Boulevard
Vancouver, Washington 98661

NextG Networks of California,
2216 O'Toole Avenue
San Jose, California 95131

North County Communications
Corporation of Arizona
3802 Rosencrans, Suite 485
San Diego, California 92110

NorthStar Telecom Inc.
Matt O'Flaherty, President
1101 Hills Road
Fremont, Nebraska 68025

Orbitcom, Inc.
1701 North Louise Avenue
Sioux Falls, South Dakota 57107

Pac-West Telecomm, Inc.
4210 Coronado Avenue
Stockton, California 95204

PNG Telecommunications, Inc.
100 Commercial Drive
Fairfield, Ohio 45014

POPP Communications, Inc.
620 Mendelssohn Avenue North
Golden Valley, Minnesota 55427

QuantumShift Communications, Inc.
dba vComm Solutions
12657 Alcosta Boulevard, Suite 418
San Ramon, California 94583

Qwest Communications Company, LLC
1801 California Street, Room 650
Denver, Colorado 80202

Rural Network Services, Inc.
123 West Main Street
Post Office Box 167
Weiser, Idaho 83672

SBC Long Distance, LLC
1010 North St. Mary's, Room 1332
San Antonio, Texas 78215

Sprint Communications Company L.P.
6391 Sprint Parkway, MS: Z2400
Overland Park, Kansas 66251

Syniverse Technologies, Inc.
8125 Highwoods Palm Way
Tampa, Florida 33647-1776

Talk America Inc
2134 West Laburnum Avenue
Richmond, Virginia 23227

TCG Phoenix
Attn: Ms. Cindy Hardy
One AT&T Way, Room 2B115E
Bedminster, New Jersey 07921

Tel West Communications L.L.C.
Post Office Box 94447
Seattle, Washington 98124

Telscape Communications, Inc.
606 East Huntington Drive
Monrovia, California 91016

Time Warner Cable Information
Services (Arizona), LLC
290 Harbor Drive
Stamford, Connecticut 06902

Trans National Communications
International, Inc.
2 Charlesgate West
Boston, Massachusetts 02215

Triplet Mountain Communications, Inc.
Post Office Box 779
10 Telecom Lane
Peridot, Arizona 85542

TW Telecom of Arizona, LLC
10475 Park Meadows Drive, Suite 400
Littleton, Colorado 80124

UCN, Inc.
7730 South Union Park Avenue, Suite 500
Midvale, Utah 84047

Valley Connections, LLC
Post Office Box 970
Wilcox, Arizona 85644

Verizon Select Services, Inc.
1 Verizon Way, MC VC22E243
Basking Ridge, New Jersey 07920

Wholesale Carrier Service, Inc.
5471 North University Drive
Coral Springs, Florida 33067

Wiltel Local Network, LLC
Level 3 Communications
1025 Eldorado Boulevard
Broomfield, Colorado 80021

WilTel Communications, LLC
1025 Eldorado Boulevard
Broomfield, Colorado 80021

XO Communications Services, Inc.
13865 Sunrise Valley Drive
Herndon, Virginia 20171

Ymax Communications Corporation
Post Office Box 6785
West Palm Beach, Florida 33405-6785

Mr. Ernest G. Johnson
Director, Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Ms. Janice M. Alward
Chief Counsel, Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007