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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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COMMISSIONERS

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

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AZ CORP COMMISSION
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IN THE MATTER OF THE JOINT APPLICATION OF VERIZON CALIFORNIA, INC., VERIZON LONG DISTANCE, LLC, VERIZON ENTERPRISES SOLUTIONS, LLC, FRONTIER COMMUNICATIONS CORPORATION, NEW COMMUNICATIONS OF THE SOUTHWEST, INC., AND NEW COMMUNICATIONS ONLINE AND LONG DISTANCE, INC., FOR APPROVAL OF THE TRANSFER OF VERIZON'S LOCAL EXCHANGE AND LONG DISTANCE BUSINESS.

DOCKET NO. T-01846B-09-0274
T-03289A-09-0274
T-03189A-09-0274
T-20679A-09-0274
T-20680A-09-0274
T-20681A-09-0274

PROCEDURAL ORDER

BY THE COMMISSION:

On May 29, 2009, Verizon California, Inc., Verizon Long Distance, LLC, Verizon Enterprises Solutions, Frontier Communications Corporation, New Communications of the Southwest, Inc., and New Communications Online and Long Distance, Inc. (together, the "Applicants"), filed with the Arizona Corporation Commission ("Commission") a joint application for approval of the transfer of Verizon Communications, Inc.'s local exchange and long distance services, provided in Arizona by Verizon California, Inc., to companies to be owned and controlled by Frontier Communications Corporation.

On July 2, 2009, the Applicant and the Commission's Utilities Division Staff ("Staff") filed a Joint Proposal Regarding Procedural Schedule setting forth an agreed upon procedural schedule for this matter.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

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1 IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall be held
2 on **October 22, 2009, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices,
3 Hearing Room 1, 1200 West Washington Street, Phoenix, Arizona 85007.

4 IT IS FURTHER ORDERED that the **Applicants** shall file their **Direct Testimony** on or
5 before **July 15, 2009**.

6 IT IS FURTHER ORDERED that Staff shall file a **Staff Report and Staff Testimony** on or
7 before **September 15, 2009**.

8 IT IS FURTHER ORDERED that the **Applicants** shall file their **Rebuttal Testimony** on or
9 before **September 29, 2009**.

10 IT IS FURTHER ORDERED that **Staff** shall file its **Rebuttal Testimony** on or before
11 **October 14, 2009**.

12 IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-
13 105, except that all Motions to Intervene must be filed on or before **October 1, 2009**.

14 IT IS FURTHER ORDERED that any **objections to the Staff Report or to any Motions to**
15 **Intervene** shall be filed on or before **October 8, 2009**.

16 IT IS FURTHER ORDERED that the Applicants shall **mail to each customer** in the affected
17 service area a copy of the notice set forth below and shall cause the notice to be **published in a**
18 **newspaper of general circulation** in the affected service area, with publication and mailing to be
19 completed no later than **August 31, 2009**.

20 IT IS FURTHER ORDERED that the Applicants shall **file certification of mailing and**
21 **publication** as soon as practicable after the mailing/publication has been completed, but not later
22 than **September 14, 2009**.

23 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing and
24 publication of same, notwithstanding the failure of an individual customer or property owner to read
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1 or receive the notice.

2 IT IS FURTHER ORDERED that the Applicants shall provide public notice of the hearing in
3 this matter, in the following form and style:

4 **PUBLIC NOTICE OF THE HEARING ON THE JOINT APPLICATION OF VERIZON**
5 **CALIFORNIA, INC., VERIZON LONG DISTANCE, LLC, VERIZON ENTERPRISES**
6 **SOLUTIONS, LLC, FRONTIER COMMUNICATIONS CORPORATION, NEW**
7 **COMMUNICATIONS OF THE SOUTHWEST, INC., AND NEW COMMUNICATIONS**
8 **ONLINE AND LONG DISTANCE, INC., FOR APPROVAL OF THE TRANSFER OF**
9 **VERIZON'S LOCAL EXCHANGE AND LONG DISTANCE BUSINESS.**
10 **(Docket Nos. T-01846B-09-0274, T-03289A-09-0274, T-03189A-09-0274, T-20679A-09-0274,**
11 **T-20680A-09-0274, and T-20681A-09-0274)**

12 **Summary**

13 On May 29, 2009, Verizon California, Inc., Verizon Long Distance, LLC, Verizon
14 Enterprises Solutions, Frontier Communications Corporation, New Communications
15 of the Southwest, Inc., and New Communications Online and Long Distance, Inc.
16 (“Applicants”), filed with the Arizona Corporation Commission (“Commission”) a
17 joint application for approval of the transfer of Verizon Communications, Inc.’s local
18 exchange and long distance services, provided in Arizona by Verizon California, Inc.,
19 to Applicants to be owned and controlled by Frontier Communications Corporation.
20 The Commission’s Utilities Division (“Staff”) has not yet made a recommendation
21 regarding the Applicants’ application, and the Commission is not bound by the
22 proposals made by the Applicants, Staff, or any intervenors. The Commission will
23 issue a decision regarding the Applicants’ application following consideration of
24 testimony and evidence presented at an evidentiary hearing.

25 **How You Can View or Obtain a Copy of the Application**

26 Copies of the application are available at the Applicants’ offices [COMPANY
27 INSERT ADDRESS HERE] and the Commission's offices at 1200 West
28 Washington, Phoenix, Arizona, for public inspection during regular business hours and
on the internet via the Commission website (www.azcc.gov) using the e-docket
function.

Arizona Corporation Commission Public Hearing Information

The Commission will hold a hearing on this matter beginning **October 22, 2009, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission’s offices, Hearing Room 1, 1200 West Washington Street, Phoenix, Arizona 85007. Public comments will be taken on the first day of the hearing. Written public comments may be submitted via email (visit http://www.azcc.gov/divisions/utilities/forms/public_comment.pdf for instructions), or by mailing a letter referencing Docket Numbers T-01846B-09-0274, T-03289A-09-0274, T-03189A-09-0274, T-20679A-09-0274, T-20680A-09-0274, and T-20681A-09-0274 to: Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007. If you require assistance, you may contact the

1 Consumer Services Section at (800) 222-7000.

2 **About Intervention**

3 The law provides for an open public hearing at which, under appropriate
4 circumstances, interested parties may intervene. Any person or entity entitled by law
5 to intervene and having a direct and substantial interest in the matter will be permitted
6 to intervene. **If you would like to intervene, you must file a written motion to
7 intervene with the Commission no later than October 1, 2009.** You must send
8 copies of the motion to the Applicants or its counsel, and to all parties of record in the
9 case. Your motion to intervene must contain the following:

- 10 1. Your name, address, and telephone number, and the name, address, and
11 telephone number of any party upon whom documents are to be served in
12 your place, if desired;
- 13 2. A short statement of your interest in the proceeding (e.g., a customer of
14 the Applicants, a shareholder of the Applicants, etc.); and
- 15 3. A statement certifying that a copy of your motion to intervene has been
16 mailed to the Applicants or its counsel and to all parties of record in the
17 case.

18 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
19 that **all motions to intervene must be filed on or before October 1, 2009.** If
20 representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme
21 Court, intervention will be conditioned upon the intervenor obtaining counsel to
22 represent the intervenor. For information about requesting intervention, visit the
23 Arizona Corporation Commission's webpage at
24 <http://www.azcc.gov/divisions/utility/forms.asp>. The granting of intervention, among
25 other things, entitles a party to present sworn evidence at hearing and to cross-examine
26 other witnesses. **However, failure to intervene will not preclude any customer from
27 appearing at the hearing and making a statement on such customer's own behalf.**

28 **ADA/Equal Access Information**

The Commission does not discriminate on the basis of disability in admission to its
public meetings. Persons with a disability may request a reasonable accommodation
such as a sign language interpreter, as well as request this document in an alternative
format, by contacting the ADA Coordinator Guadalupe Ortiz, E-mail
gnortiz@azcc.gov, voice phone number 602/542-3931. Requests should be made as
early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
Communications) continues to apply to this proceeding as the matter is set for public hearing.

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

1 *hac vice.*

2 IT IS FURTHER ORDERED that the intervention granted herein is conditioned upon the
3 intervenor obtaining counsel to represent the intervenor if required by Rule 31 of the Rules of the
4 Arizona Supreme Court, and such counsel filing a notice of appearance with the Commission, within
5 30 days of the date of this Procedural Order.

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

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

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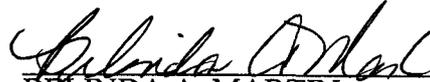
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1 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,
2 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
3 hearing.

4 Dated this 13th day of July, 2009.

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6 
7 BELINDA A. MARTIN
8 ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
10 this 13th day of July, 2009, to:

11 Jeffrey W. Crockett, Esq.
12 SNELL & WILMER
13 One Arizona Center
400 East Van Buren Street
Phoenix, Arizona 85004
Attorneys for Frontier Communications
Corporation

14 Thomas H. Campbell, Esq.
15 Michael T. Hallam Esq.
16 LEWIS AND ROCA
40 North Central Avenue
Phoenix, Arizona 85004
Attorneys for Verizon

17 Janice Alward, Chief Counsel
18 Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

19 Ernest Johnson, Director
20 Utilities Division
ARIZONA CORPORATION COMMISSION
21 1200 West Washington Street
Phoenix, Arizona 85007

22 Arizona Reporting Service, Inc.
23 2200 N. Central Avenue, Suite 507
Phoenix, Arizona 85004-1481

24 By: 
25 Julio Ibarra
26 Secretary to Belinda A. Martin
27
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