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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

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AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

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IN THE MATTER OF QWEST CORPORATION'S
PETITION FOR ARBITRATION AND
APPROVAL OF INTERCONNECTION
AGREEMENT WITH NORTH COUNTY
COMMUNICATIONS CORPORATION OF
ARIZONA PURSUANT TO SECTION 252(B) OF
THE COMMUNICATIONS ACT OF 1934 AS
AMENDED BY THE TELECOMMUNICATIONS
ACT OF 1996 AND APPLICABLE STATE LAWS.

DOCKET NO. T-01051B-09-0383
DOCKET NO. T-03335A-09-0383

PROCEDURAL ORDER

BY THE COMMISSION:

On August 3, 2009, Qwest Corporation ("Qwest") filed with the Arizona Corporation Commission ("Commission") a Petition for Arbitration of certain terms and conditions for interconnection and related arrangements with North County Communications Corporation of Arizona ("North County").

In its Petition, Qwest states that it presented its proposed Interconnection Agreement to North County on April 9, 2009, and that since that time, despite repeated inquiries by Qwest, North County has not accepted the Proposed Agreement, commented upon it, proposed alternative language, or objected to its provisions. Qwest asserts that because of North County's lack of response to Qwest's inquiries, Qwest was unable to submit a list or matrix of unresolved issues from negotiations.

Pursuant to the Telecommunications Act of 1996 ("Act"), North County must respond to the Petition within 25 days,¹ or August 28, 2009, and the Commission must act on the request within 120 days, or by December 1, 2009.

IT IS THEREFORE ORDERED that North County shall file a Response to the Petition no later than August 28, 2009, such response to include specific statements of its positions, including supporting reasons therefore, cites to controlling law and regulations in support of its positions, and

¹ Section 252(b)(3) and A.A.C. R14-2-1505(C).

1 alternative contract language in a "redline" format.

2 IT IS FURTHER ORDERED a **telephonic Procedural Conference** to discuss the appropriate
3 way to proceed with this application, including potential arbitration dates, shall commence on
4 **September 2, 2009, at 10:00 a.m.**, at the offices of the Commission, Room 218, 400 West Congress,
5 Tucson, Arizona. **Parties desiring to participate telephonically should contact the Commission's**
6 **Hearing Division (602) 542-4250 for instructions prior to the date of the Procedural**
7 **Conference.**

8 IT IS FURTHER ORDERED that the costs to transcribe the proceedings shall be borne
9 equally by Qwest and North County.

10 IT IS FURTHER ORDERED that all parties must comply with Rule 33(c) and (d) of the
11 Rules of the Arizona Supreme Court with respect to practice of law and admission *pro hac vice*.

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

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

20 Dated this 5th day of August, 2009.

21
22 *Jane L. Rodda / by Dr*
23 JANE L. RODDA
24 ARBITRATOR
25 ...
26 ...
27 ...
28 ...

1 Copies of the foregoing mailed/delivered
this 5th day of August, 2009 to:

2 Norman G. Curtright
3 QWEST CORPORATION
4 20 East Thomas Rd., 16th Floor
Phoenix, Arizona 85012

****CERTIFIED MAIL****

5 Todd Lesser
6 NORTH COUNTY COMMUNICATIONS
7 3802 Rosecrans Street, Suite 485
San Diego, California 92110

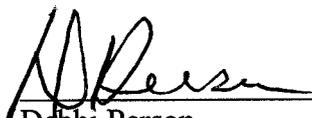
****CERTIFIED MAIL****

8 Janice Alward, Chief Counsel
9 Legal Division
10 ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
Phoenix, Arizona 85007

11 Steve Olea, Director
12 Utilities Division
13 ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
Phoenix, Arizona 85007

14 ARIZONA REPORTING SERVICE, INC.
15 2200 N. Central Avenue, Suite 502
Phoenix, Arizona 85004-1481

16
17
18 By:


Debbi Person

19 Secretary to Jane L. Rodda
20
21
22
23
24
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26
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