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BEFORE THE ARIZONA CORPORATION COMMISSION

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- KRISTIN K. MAYES - Chairman
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- SANDRA D. KENNEDY
- BOB STUMP

2009 SEP -3 P 2:58

Arizona Corporation Commission

DOCKETED

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

SEP 2 2009

DOCKETED BY	
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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").

By Procedural Order dated August 5, 2009, North County was directed to file a Response to the Petition by August 28, 2009, and a Procedural Conference was set for September 2, 2009, for the purpose of scheduling.

On September 1, 2009, North County docketed a letter that requested a 30 day continuance in order to give the parties an opportunity to negotiate an interconnection agreement.

The September 2, 2009, Procedural Conference convened as scheduled. Qwest and North County appeared through counsel. Qwest agreed to the requested 30 day continuance and agreed that the deadline for Commission action on the Petition could be extended by 30 days.

IT IS THEREFORE ORDERED that **North County shall file a Response to the Petition** no later than **Septembers 29, 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 alternative contract language in a "redline" format.

1 IT IS FURTHER ORDERED a **telephonic Procedural Conference** to discuss the status of  
2 the Petition and schedule the arbitration, if needed, shall commence on **October 1, 2009, at 10:00**  
3 **a.m.**, at the offices of the Commission, Room 218, 400 West Congress, Tucson, Arizona. **Parties**  
4 **desiring to participate telephonically should contact the Commission's Hearing Division (602)**  
5 **542-4250 for instructions prior to the date of the Procedural Conference.**

6 IT IS FURTHER ORDERED that the Procedural Conference will be vacated in the event the  
7 parties file a notice in the docket on or before September 29, 2009, that they have negotiated an  
8 interconnection agreement or that both parties desire more time to reach an agreement.

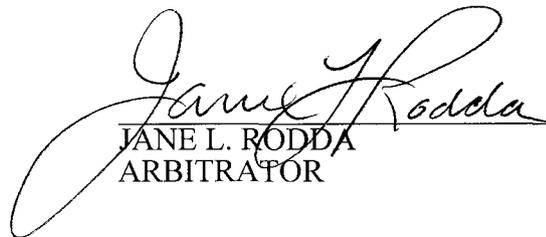
9 IT IS FURTHER ORDERED that the costs to transcribe the proceedings shall be borne  
10 equally by Qwest and North County.

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

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

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

21 Dated this 2<sup>nd</sup> day of September, 2009.

22  
23  
24   
25 JANE L. RODDA  
26 ARBITRATOR  
27  
28

1 Copies of the foregoing mailed/delivered  
2 this 2<sup>nd</sup> day of September, 2009 to:

3 Norman G. Curtright  
4 QWEST CORPORATION  
5 20 East Thomas Rd., 16<sup>th</sup> Floor  
6 Phoenix, Arizona 85012

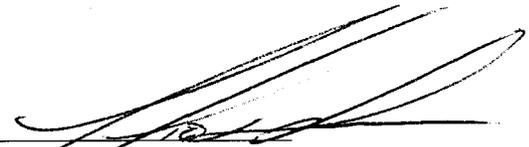
7 Joseph G. Dicks  
8 Dicks and Workman  
9 2720 Symphony Towers  
10 750 B Street  
11 San Diego, CA 92101-8122  
12 Attorneys for north County  
13 Communications Corp.

14 Todd Lesser  
15 NORTH COUNTY COMMUNICATIONS  
16 3802 Rosecrans Street, Suite 485  
17 San Diego, California 92110

18 Janice Alward, Chief Counsel  
19 Legal Division  
20 ARIZONA CORPORATION COMMISSION  
21 1200 W. Washington Street  
22 Phoenix, Arizona 85007

23 Steve Olea, Director  
24 Utilities Division  
25 ARIZONA CORPORATION COMMISSION  
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27 Phoenix, Arizona 85007

28 ARIZONA REPORTING SERVICE, INC.  
2200 N. Central Avenue, Suite 502  
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By: 

Julio Ibara  
Secretary to Jane L. Rodda