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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

2009 OCT -5 P 3: 19

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

Commission  
ED  
[Signature]

IN THE MATTER OF THE PETITION OF COX ARIZONA TELECOM, LLC FOR ARBITRATION OF AN INTERCONNECTION AGREEMENT WITH QWEST CORPORATION PURSUANT TO SECITON 252 OF THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. T-03471A-07-0242  
DOCKET NO. T-01051B-07-0242

PROCEDURAL ORDER

BY THE COMMISSION:

On April 16, 2007, Cox Arizona Telcom, LLC ("Cox") filed with the Arizona Corporation Commission ("Commission") a Petition for Arbitration for certain terms and conditions for interconnection and related arrangements with Qwest Corporation ("Qwest") ("Petition") pursuant to 47 U.S.C. § 252(b) of the Telecommunications Act of 1996 (the "Act").

On May 11, 2007, Qwest filed a Response to the Petition.

By Procedural Order dated May 16, 2007, a Procedural Conference was convened on May 31, 2007, to determine a procedural schedule. At that time, the parties stated that they were involved in an arbitration in another state, and agreed to submit a proposed schedule for filing testimony n the Arizona docket. The parties never filed a proposed schedule, nor have they requested the matter be set for arbitration. In the meantime, the Commission approved a Settlement agreement in a Complaint proceeding involving some of the same issues as were raised in the Petition.<sup>1</sup>

IT IS THEREFORE ORDERED that **the parties shall file their recommendations** whether the matter should be dismissed, or whether a Procedural Conference should be set to establish a schedule, or another procedural recommendation no later than **October 23, 2009**.

IT IS FURTHER ORDERED that failure to file a recommendation for Commission action

<sup>1</sup> See Decision No, 70664 (December 24, 2008).

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1 may result in the dismissal of the Petition without additional notice.

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

4 DATED this ~~30<sup>th</sup>~~ day of September, 2009.

  
JANE L. RODDA  
ARBITRATOR

8 Copies of the foregoing mailed  
this 30<sup>th</sup> day of September, 2009 to:

9 Michael Patten  
10 ROSHKA DeWULF & PATTEN  
400 East Van Buren Street, Ste. 800  
11 Phoenix, AZ 85004

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

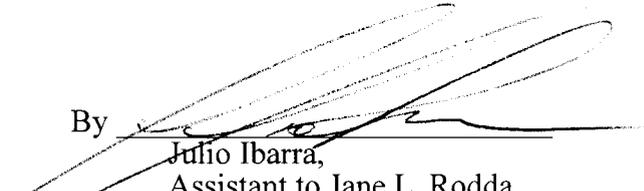
12 Donald L. Crosby  
Cox Communications, Inc.  
1400 Lake Hearn Road NE  
13 Atlanta, Georgia 30319

Steve Olea, Director  
Utilities Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

14 Norman G. Curtright  
QWEST CORPORATION  
15 20 East Thomas Road, 16<sup>th</sup> Floor  
Phoenix, AZ 85012

ARIZONA REPORTING SERVICE, INC.  
2200 North Central Avenue, Suite 502  
Phoenix, Arizona 85004-1104

17 Thomas M. Dethlefs  
Senior Attorney  
Qwest Legal Dept/CD&S  
18 1801 California St., Suite 900  
Denver, Colorado 80202

19 By   
Julio Ibarra,  
Assistant to Jane L. Rodda

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