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BEFORE THE ARIZONA CORPORATION COMMISSION

2 COMMISSIONERS

3 KRISTIN K. MAYES, Chairman  
4 GARY PIERCE  
5 PAUL NEWMAN  
6 SANDRA D. KENNEDY  
7 BOB STUMP

Arizona Corporation Commission

DOCKETED

JAN 13 2010

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7 IN THE MATTER OF THE APPLICATION OF  
8 HELIX TELEPHONE COMPANY TO DELETE A  
9 PORTION OF THE CERTIFICATE OF  
CONVENIENCE AND NECESSITY OF CITIZENS  
UTILITIES RURAL COMPANY DBA FRONTIER  
CITIZENS UTILITIES RURAL.

DOCKET NO. T-01954B-07-0247  
DOCKET NO. T-20526A-07-0247

**PROCEDURAL ORDER**

10 **BY THE COMMISSION:**

11 On April 19, 2007, Helix Telephone Company ("HTC" or "Complainant") filed with the  
12 Arizona Corporation Commission ("Commission") what was captioned as "In the Matter of Helix  
13 Telephone Company's Application to Delete a Portion of Frontier Citizens Rural's Certificate of  
14 Convenience and Necessity."<sup>1</sup>

15 On May 25, 2007, the Commission's Utilities Division Staff ("Staff") filed a memorandum  
16 which recommended that this docket be processed as a complaint proceeding where the timeclock  
17 rules would not apply so that the issues could more adequately be addressed rather than as an  
18 application for a deletion.

19 On May 30, 2007, the Commission served a copy of the Complaint which had been filed by  
20 HTC against Citizens Utilities Rural Company d/b/a Frontier Citizens Utilities Rural ("Frontier" or  
21 "Respondent").

22 On June 25, 2007, Frontier filed a Motion to Dismiss HTC's Complaint and Answer.

23 On August 6, 2007, by Procedural Order, although the normal time to file a response had  
24 expired, HTC was granted 10 days in which to file its response if it wished to proceed further in this  
25 matter. After the filing, the merits of this proceeding were to be reviewed and a determination made  
26 whether a status conference would be necessary.

27 \_\_\_\_\_  
28 <sup>1</sup> On March 29, 2007, HTC had filed an application for a Certificate of Convenience and Necessity ("Certificate") for the  
area which it is requesting be deleted in this proceeding.

1 On September 20, 2007, by Procedural Order, a status conference was scheduled for  
2 November 19, 2007.

3 On November 15, 2007, a Joint Motion to Continue Status Conference was filed by the parties  
4 and requested that the status conference be continued until January 2008 due to on going settlement  
5 negotiations.

6 On November 16, 2007, by Procedural Order, the status conference currently scheduled for  
7 November 19, 2007 was vacated, and the parties were ordered to file with the Commission a list of  
8 alternative dates for scheduling a date for a status conference.

9 On November 17, 2009, HTC filed a Motion to Set Status Conference indicating that there are  
10 certain issues which have not been resolved between the parties.

11 On November 18, 2009, by Procedural Order, a status conference was scheduled on  
12 December 10, 2009.

13 On December 2, 2009, Frontier filed a Motion to Continue the status conference. Therein,  
14 Frontier indicated that Helix did not object to a brief continuance.

15 On December 3, 2009, by Procedural order, the status conference was continued to January  
16 14, 2010.

17 On January 13, 2010, Staff filed a Motion to Continue the January 14, 2010, status conference  
18 due to a conflict Staff has due to another proceeding. Staff indicates that it believes neither HTC nor  
19 Frontier have any objections to a brief continuance after February 1, 2010.

20 On January 13, 2010, HTC filed a response which supports Staff's motion.

21 Accordingly, the proceeding should be continued.

22 IT IS THEREFORE that the status conference shall be continued from **January 14, 2010, to**  
23 **February 4, 2010, at 11:00 a.m.**, at the Commission's offices, 1200 West Washington Street, 2<sup>nd</sup>  
24 Floor Commissioners' Conference Room, Phoenix, Arizona.

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26 ...

27 ...

28 ...

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

4 DATED this 13<sup>th</sup> day of January, 2010.



MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

11 Copies of the foregoing mailed/delivered  
12 this 13<sup>th</sup> day of January, 2010 to:

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By: Debra Broyles  
Secretary to Marc E. Stern