

ORIGINAL

OPEN MEETING



0000108392

MEMORANDUM

TO: THE COMMISSION

FROM: Utilities Division

DATE: March 15, 2010

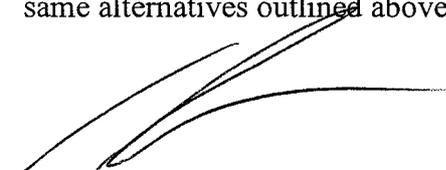
RE: IN THE MATTER OF THE GENERIC INVESTIGATION OF TARIFFING AND NOTICE REQUIREMENTS FOR COMBINED INTERSTATE AND INTRASTATE CALLING PLANS (DOCKET NO. RT-00000J-05-0329)

On April 11, 2005, the Arizona Corporation Commission ("Commission") issued Decision No. 67745. Decision No. 67745 adopted a Settlement Agreement between the Commission's Utilities Division Staff ("Staff ") and Qwest LD Corporation ("QLDC") and its affiliates In the Matter of Utilities Division v. Qwest LD Corp. (Docket No. T-04190A-04-0904). Decision No. 67745 also ordered Staff to commence a generic investigation and rulemaking proceeding to address the filing requirements and tariff obligations of interexchange carriers, therefore, this docket was opened on May 6, 2005. On December 19, 2006, Staff issued the attached Staff Report in this matter.

Staff recommends that QLDC be given the following alternatives:

1. listing all long distance rates and charges under combined interstate/intrastate calling plans within its Arizona intrastate tariffs or
2. denoting within its Arizona intrastate tariffs those charges and rates which are listed in QLDC's interstate tariffs but which are also applicable to intrastate calls under the combined calling plan. Staff recommends that QLDC be given 90 days to modify its Arizona intrastate tariffs accordingly.

Additionally, Staff recommends that all intrastate long distance providers be given the same alternatives outlined above for QLDC.

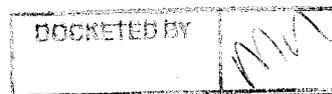

Steven M. Olea
Director
Utilities Division

SMO:AFF:ihm\MAS

ORIGINATOR: Armando F. Fimbres

Arizona Corporation Commission
DOCKETED

MAR 15 2010



RECEIVED
2010 MAR 15 P 4: 24
AZ CORP COMMISSION
DOCKET CONTROL

ORIGINAL

MEMORANDUM

305m

TO: Docket Control
FROM: Ernest G. Johnson
Director
Utilities Division

EA for EGJ

Arizona Corporation Commission
DOCKETED

DEC 19 2006

DOCKETED BY	<i>NA</i>
-------------	-----------

DATE: December 19, 2006

RE: IN THE MATTER OF THE GENERIC INVESTIGATION OF TARIFFING AND NOTICE REQUIREMENTS FOR COMBINED INTERSTATE AND INTRASTATE CALLING PLANS (DOCKET NO. RT-00000J-05-0329)

I. Introduction

On April 11, 2005, the Commission issued Decision No. 67745. Decision No. 67745 adopted a settlement agreement between the Commission's Utilities Division Staff ("Staff") and Qwest LD Corporation ("QLDC") and its affiliates in the matter of Utilities Division v. Qwest LD Corp. (Docket No. T-04190A-04-0904). Decision No. 67745 also ordered Staff to commence a generic investigation and rulemaking proceeding to address the filing requirements and tariff obligations of interexchange carriers. The terms and conditions of the approved settlement agreement also included an agreement between Staff and Qwest that the generic docket would be concluded within 18 months of Decision No. 67745, and an agreement by Staff that any new or additional filing requirements defined in the generic docket will have application to Qwest on only a going forward basis from the date of the final order in the generic docket.

Pursuant to Decision No. 67745, Staff initiated a generic docket on May 26, 2005.

On September 23, 2005, Staff issued its first set of data requests to Inter-exchange carriers, resellers of long distance, and/or incumbent long distance providers certificated in the states of Arizona based on their current status.

On October 18, 2006, at Staffs' request, a procedural conference was conducted via telephone. At the conference Staff requested an extension of time to file its report. Qwest agreed to Staffs' request for an extension.

On October 26, 2006, Staff issued an additional request for information to inter-exchange carriers, resellers of long distance, and/or incumbent long distance providers certificated in the states of Arizona based on their current status.

RECEIVED
2006 DEC 19 P 4:44
AZ CORP COMMISSION
DOCUMENT CONTROL

II. Background

QLDC was certificated to provide long distance service on or about December 9, 2003, in Decision No. 66613. QCC was certificated to provide long distance service on or about December 9, 2003, in Decision No. 66612. The services of both QLDC and QCC were determined to be "competitive" by the Commission and subject to the Commission's competitive classification rules.

Shortly after receiving Section 271 authorization from the FCC, QLDC and QCC began offering its Qwest Choice Long Distance calling plan in Arizona. Customers who subscribed to the Qwest Choice Long Distance residential calling plan prior to August 15, 2004, with service up to October 1, 2004, were assessed a \$.05/minute rate for interstate, interLATA/intrastate, and intraLATA/intrastate long distance calls, and were subject to the monthly cap of \$20.00 (if they had a qualifying Qwest Corporation local service home package) or \$25.00 (if they did not have a qualifying package). The calling plan was advertised to consumers as having "no monthly surcharge."

As required by law, QLDC and QCC filed tariffs and price lists with the Commission setting forth their rates for intrastate Qwest Choice Long Distance service, as well as other long distance packages. Those tariffs and price lists became effective on December 15, 2003.

On or about August 31, 2004, QLDC sent a written notice to its existing Qwest Choice Long Distance residential customers indicating that it was instituting a new monthly charge of \$2.00 applicable on a per line basis. The notice also indicated that a \$.99 "interstate" services fee would apply on a per account basis. Both charges took effect on October 1, 2004, for existing customers and on August 16, 2004, for new customers.

These charges apply to jurisdictionally intrastate long distance calls.

QLDC did not include the new monthly charges in the price lists that it filed with the Commission on July 5, 2004, with an effective date of August 5, 2004. Qwest did, however, post new interstate rate schedules (Qwest LD Corp. RSS No. 1) which contained both of the new monthly charges.

Shortly after QLDC gave notice of its \$2.99 monthly charge for its Qwest Choice Long Distance residential plan, the Commission began receiving complaints regarding the new charges. The Commission has received numerous complaints from consumers regarding the new monthly charges.

Consumers expressed considerable dismay and frustration to the Commission that Qwest had widely advertised its Plan as having "NO Monthly Fees", unlike the plans of other long distance carriers. In reliance on this, they signed up for the Qwest residential Calling Plan, only to be informed shortly thereafter that Monthly Fees would henceforth apply. These consumers felt that Qwest had misled them into signing up for the Plan, since shortly thereafter the

customers were told that the Plan's primary perceived benefit ("No Monthly Fee") was being eliminated.

On December 17, 2004, the Utilities Division ("Staff") filed a Complaint and Petition For Order to Show Cause against QLDC alleging that the Qwest Choice Long Distance residential Plan is in reality a plan which offers the customer the capability of making both interstate and intrastate long distance calls. Staff alleged that the interstate and intrastate portions of the plan are not severable or offered on a stand-alone basis. As such, Staff believed that Qwest is required to include in its intrastate price lists and tariffs all conditions of the plan applicable to intrastate long distance calls, which in this case includes the \$2.99 surcharge. Staff argued that unless QLDC is required to include all charges in its intrastate tariff which are applicable to intrastate services, QLDC could in the future impose unilateral rate increases on consumers for intrastate services without the oversight of the Commission and without complying with applicable Arizona law. Staff asserted that in effect, QLDC has cloaked its new charges in an "interstate" veil to evade the Commission's oversight authority over intrastate charges.

Staff's Complaint further alleged that QLDC formerly advertised its Qwest Choice Long Distance Plan as having "No Monthly Fees". The phrase "No Monthly Fees" or its equivalent was prominently featured in advertisements by QLDC for its Qwest Choice Long Distance Plan.

Staff stated in its Complaint that after obtaining authority to sell long distance services from the FCC under Section 271, Qwest and QLDC engaged in a concerted joint effort to sign up existing Qwest customers to QLDC long-distance service. Part of this effort included advertisements and promotional materials that promoted QLDC's Qwest Choice Long Distance Plan as having "No Monthly Fees".

Staff's Complaint also alleged that this prolonged advertising of the Qwest Choice Long Distance Plan as having "No Monthly Fees" created an expectation by QLDC customers that the Qwest Choice Long Distance Plan would, in fact, have no monthly fees. QLDC knew that its advertising would create this expectation.

Staff's Complaint alleged violations of A.R.S. Section 40-365 and A.A.C. R14-2-1106(B) which require public service corporations to file with the Commission schedules showing all tolls, rates, rentals, charges, and classifications to be collected or enforced. The Staff also alleged violations of A.R.S. Section 361 which requires the rates and charges of public service corporations to be just and reasonable. Related violations of A.A.C. R14-2-110(B) and/or A.A.C. R14-2-1109 were also alleged.

The Staff and QLDC subsequently engaged in settlement discussions in an effort to resolve the allegations contained in the Staff Complaint. The parties entered into a Settlement Agreement dated March 31, 2005.

Under the Settlement Agreement, Qwest agreed with Staff's interpretation of Arizona rules on an interim basis and that it will file intrastate long distance service tariffs and price lists

in Arizona consistent with Staff's interpretation of the Arizona statutes and rules pending the conclusion of the generic docket or further Order of the Commission. Staff agreed to commence a generic proceeding examining the filing requirements and tariff obligations of all interexchange carriers. Qwest also agreed to file with the Commission an intrastate tariff and/or price list containing a charge equal to or equivalent to (but not in addition to) the \$2.99 monthly surcharge which is now only included in the QLDC interstate rates and service schedule. Qwest agreed to include any and all monthly charges of this nature in the applicable intrastate tariff until such time as the generic docket is concluded or further Order of the Commission.

Under the Settlement Agreement reached in Docket No. T-04190A-04-0904, and approved by Decision No 67745, on April 11, 2005, Qwest agreed with Staff's interpretation of Arizona rules on an interim basis and agreed to file intrastate long distance service tariffs and price lists in Arizona consistent with Staff's interpretation of the Arizona statutes and rules pending the conclusion of this generic docket or further Order of the Commission.

The Utilities Division Staff was ordered to commence a generic investigation and rulemaking proceeding to address the filing requirements and tariff obligations of interexchange carriers.

III. Discussion

Staff issued data requests to "Telecommunications Companies Holding CC&Ns in Arizona as Inter-exchange Carriers, Resellers of Long Distance, and/or Incumbent Long Distance" in this Generic Docket on September 23, 2005 and October 29, 2006. The results are as follows:

The following questions were included in the September 23, 2005 data request issued to 192 Carriers:

1. Do you impose any charges that pertain to both interstate and intrastate long distance calls on your customers that do not appear in your Arizona tariffs?
2. If your answer to number one is yes, please provide a list of all such charges.
3. If your answer to number one is yes, for each such charge please indicate whether it applies only when there is interstate usage on a customer's bill in a particular month or whether the charge applies even when all usage is intrastate.
4. If a charge that is not in your Arizona tariff applies even when all usage is intrastate, please explain why such charge should not be included in your intrastate tariff.

RESPONSES TO THE SEPTEMBER 23, 2005 DATA REQUEST:

1. **124 Carriers responded.**

2. **AT&T, TCG, Sprint, Custom Network Solutions, Cincinnati Bell Long Distance, SBC Long Distance, Trinsic Communications and Granite Telecommunications responded "yes" to question 1. All others responded "no", including MCI.**
3. **Those responding "yes" to question #1 consistently supported their position by explaining that the charges that pertain to both interstate and intrastate long distance calls that do not appear in Arizona tariffs do appear in interstate tariffs.**

The following questions were included in the October 29, 2006 data request issued to the same Carriers who were issued the September 23, 2005 data request:

1. Is it permissible under Arizona Rules and Statutes for an interexchange carrier to impose surcharges that pertain to both interstate and intrastate long distance calls but not to include those surcharges in the intrastate Arizona tariff filed with the Arizona Corporation Commission? Please explain your answer in detail.
2. How should A.A.C. R12-2-1106(B)(4), A.A.C. R14-2-1109, and A.C. R14-2-1110 be interpreted with respect to charges for intrastate and interstate services provided in conjunction with each other? For example, a surcharge that applies regardless of which type (intrastate or interstate) of calls are actually made.
3. If a surcharge is said to apply to interstate toll charges only, but is also charged by the carrier when the customer makes solely intrastate toll charges, should the surcharge be included in the provider's intrastate tariff filed with the Arizona Corporation Commission and subject to the Commission's rules cited in question 2 above?
4. Should a new surcharge applicable to interstate toll calls, but which the carrier charges when solely intrastate toll calls are made, be included in the calculation of the carrier's maximum rate for purposes of A.A.C. 14-2-1110?
5. When bundled interstate and intrastate toll packages are offered, are the packages subject to both federal and state statutes, rules and requirements?

RESPONSES TO THE OCTOBER 29, 2006 DATA REQUEST:

1. **4 Carriers responded.**
2. **2 Carriers (AT&T and Qwest) provided additional information directly responsive to the above information requests**
3. **AT&T's responses further clarify the AT&T responses to Staff's September 23, 2005 data request and are summarized as follows:**

- i. The intrastate tariffs for the AT&T long distance services explain that the intrastate services are an add-on or offered in conjunction with AT&T's interstate offering.
 - ii. A customer must first elect to purchase an interstate rate plan from AT&T before adding an intrastate plan.
 - iii. There are no additional surcharges that apply to intrastate calls.
 - iv. If a customer chooses to make intrastate calls or interstate calls or a combination of the interstate and intrastate calls or no long distance calls at all during a particular month the charge is still applies.
 - v. Fees first initiated under interstate plans, and not enhanced by the intrastate plans, are outside the jurisdiction of the ACC, specifically, A.A.C. R12-2-1106(B)(4), A.A.C. R14-2-1109, and A.C. R14-2- 1110.
4. Qwest filed comments related to Staff's October 29, 2006 information request that can be summarized as follows:
- i. Qwest continues to maintain that the Fees in question in T-04190A-04-0904, and subject to Decision No 67745, were assessed by QLDC in return for the capability provided customers to use QLDC's network to place interstate calls.
 - ii. Qwest also believes that the remedy sought by the Staff would directly challenge the exclusive jurisdiction Congress granted to the FCC over interstate communications and carriers.

IV. Recommendations

Staff's position in the Settlement Agreement between Qwest and Staff, attached to Decision No. 67745 as Exhibit 1, was based on Staff's beliefs that QLDC was required to file tariff and/or price list revisions with the Commission prior to implementing a \$2.99 surcharge as part of its Qwest Choice Long Distance calling plan, which applies to both interstate and intrastate long distance calls made by Arizona customers.

Staff's interpretation of the rules and statutes governing the tariffing obligations of Long Distance carriers has not changed. Staff continues to believe that charges that apply simultaneously to both inter- and intra-state calls should be tariffed. However, in the past five years the telecommunications industry has undergone significant shifts due to technology changes such as wireless, VoIP, and Broadband. For cases where inter-state services are provided in conjunction with intra-state services, Staff believes that including a reference in the carrier's intra-state tariff to rates contained in inter-state tariffs or inter-state price lists would satisfy this requirement.

Staff recommends that QLDC be given the option of (1) listings all long distance rates and charges within its Arizona intrastate tariffs or (2) denoting within its Arizona intrastate tariffs those charges and rates which are listed in QLDC's interstate tariffs.

Staff recommends that QLDC be given 90 days to modify its Arizona intrastate tariffs accordingly.

Additionally, Staff recommends that all intrastate long distance providers comply with the above Staff interpretation of tariffing rules and statutes. Intrastate long distance providers should be given 90 days to modify their Arizona intrastate tariffs accordingly, if necessary.

SERVICE LIST FOR: Generic Investigation of Tariffing and Notice Requirements
DOCKET NO.: RT-00000J-05-0329

Manager of Regulatory Affairs
1-800-Reconex, Inc. (03318)
2500 Industrial Avenue
Hubbard, Oregon 97032

Manager of Regulatory Affairs
Access One, Inc.
125 North. Halsted Street
4th Floor
Chicago, Illinois 60661

Manager of Regulatory Affairs
Access Point, Inc.
1100 Crescent Green, Suite 109
Cary, North Carolina 27511

Manager of Regulatory Affairs
ACCXX Communications, LLC
4035 Tampa Road, Suite 6000
Oldsmar, Florida 34677

Manager of Regulatory Affairs
Accutel Communications, Inc.
dba Valuetel Communications, Inc.
1060 South Federal Highway, Suite A
Delray Beach, Florida 334444

Manager of Regulatory Affairs
Adelphia Telecommunications, Inc.
1 North Main Street
Coudersport, Pennsylvania 16915
Manager of Regulatory Affairs

ACN Communications Services, Inc.
32991 Hamilton Court
Farmington Hills, Michigan 48334

Manager of Regulatory Affairs
Advanced Telemanagement Group, Inc.
dba ATG
8912 East Pinnacle Peak Road, Suite 423
Scottsdale, Arizona 85255

Manager of Regulatory Affairs
Advanced TelCom, Inc.
110 Stony Point Road, Second Floor
Santa Rosa, CA 95401

Manager of Regulatory Affairs
Affinity Network Incorporated
dba QuantumLink/HorizonaOne/VoIP/Optic
Communications
4380 Boulder Highway
Las Vegas, Nevada 89121-3002

Manager of Regulatory Affairs
Advantage Telecommunications, Corp.
3001 Alona Avenue, Suite 304
Winter Park, Florida 32792

Manager of Regulatory Affairs
Airespring, Inc.
6060 Sepulveda Blvd., Suite 220
Van Nuys, California 91411

Manager of Regulatory Affairs
Airmex Communications, Inc.
3000 Executive Parkway, Suite 230
San Ramon, California 94583

Manager of Regulatory Affairs
Alltel Communications, Inc.
One Allied Drive
Little Rock, Arkansas 72202

Manager of Regulatory Affairs
Alliance Group Services, Inc.
1221 Post Road East
Westport, Connecticut 06880

Manager of Regulatory Affairs
American Cyber Corporation
dba Discount Plus
6053 Hudson Road, Suite 110
Woodbury, Minnesota 55125

Manager of Regulatory Affairs
America Net, LLC
3435 Wilshire Boulevard, Suite 1090
Los Angeles, California 90001

Manager of Regulatory Affairs
American Fiber Systems, Inc.
100 Meridian Centre, Suite 250
Rochester, New York 14618

Manager of Regulatory Affairs
American Fiber Network, Inc.
dba AFN
9401 Indian Creek Parkway, Suite 140
Overland Park, Kansas 66210

Manager of Regulatory Affairs
American Phone Services, Corp.
308 Maxwell Road, Suite 100
Alpharetta, Georgia 30004

Manager of Regulatory Affairs
American Long Lines, Inc.
700 Enterprise Road, Second Floor
Horsham, Pennsylvania 19044

Manager of Regulatory Affairs
Americatel Corporation
dba 10 123 Americatel / 1010 123
4045 N.W. 97th Avenue
Miami, Florida 33178

Manager of Regulatory Affairs
American Telecommunications Systems, Inc.
4450 Belden Village Street, N.W., Suite 602
Canton, Ohio 44718

Manager of Regulatory Affairs
Amerivision Communications, Inc.
dba Affinity 4
One Bradway Executive Park
201 NW 63rd, Suite 200
Oklahoma City, Oklahoma 73116

Manager of Regulatory Affairs
Americorm Technologies, Inc.
dba Network Utilization Services
Post Office Box 990-165
Boston, Massachusetts 02199

Manager of Regulatory Affairs
Budget Phone, Inc.
Post Office Box 19360
Shreveport, Louisiana 71149

Manager of Regulatory Affairs
ASC Telecom, Inc.
dba AlternaTel
6391 Sprint Parkway
MS: Z2400
Overland Park, Kansas 66251

Manager of Regulatory Affairs
Buehner-Fry, Inc.
dba Resort Operator Services
40 N.W. Greenwood Avenue
Bend, Oregon 97701

Manager of Regulatory Affairs
AT&T Communications of the Mountain States, Inc.
6554 S. Zeno Ct
Aurora, Colorado 80016

Manager of Regulatory Affairs
Business Discount Plan, Inc.
One World Trade Center, Suite 800
Long Beach, California 90831

Manager of Regulatory Affairs
ATMC, Inc.
9045 Haven Avenue, Suite 106
Rancho Cucamonga, California 91730

Manager of Regulatory Affairs
Cimco Communications, Inc.
1901 S. Meyers Road, Suite 700
OakBrook Terrace, Illinois 60181

Manager of Regulatory Affairs
Bell Atlantic Communications
dba Verizon Long Distance
1320 N. Courthouse Road, 9th Floor
Arlington, Virginia 22201

Manager of Regulatory Affairs
Cognigen Networks, Inc.
7001 Seaview Avenue NW, Suite 201
Seattle, Washington 98117

Manager of Regulatory Affairs
Better World Telecom, Inc.
dba Better World Telecom
11921 Freedom Drive, Suite 550
Reston, VA 20190

Manager of Regulatory Affairs
ConnectAmerica, Inc.
dba Connect US of Delaware
1842 Centre Point Drive, Suite 128
Naperville, IL 60563

Manager of Regulatory Affairs
Broadwing Communications, LLC
200 N. LaSalle Street
Chicago, IL 60601

Manager of Regulatory Affairs
CTI Long Distance, Inc.
P.O. Box 800070
Portland, OR 97280
Manager of Regulatory Affairs

BT Communications Sales, LLC
11440 Commerce Park Dr.
Reston, VA 20191

Manager of Regulatory Affairs
Custom Teleconnect, Inc.
3111 S. Valley View, Suite E-120
Las Vegas, NV 89102

Manager of Regulatory Affairs
Buehner-Fry, Inc.
dba Directdial USA
40 N.W. Greenwood Ave.
Bend, OR 97701

Manager of Regulatory Affairs
D.D.D. Calling, Inc.
6300 Richmond Avenue, Suite 304
Houston TX 77057

Manager of Regulatory Affairs
Business Network Long Distance, Inc.
1400 Sixteenth Street, Suite 400
Denver, CO 80202

Manager of Regulatory Affairs
Dialaround Enterprises, Inc.
30-50 Whitestone Expressway, 4th Floor
Flushing, NY 11354

Manager of Regulatory Affairs
Business Telecom, Inc.
dba BTI Telecommunications Services
7037 Old Madison Pike, Suite #400
Huntsville, AL 35806

Manager of Regulatory Affairs
DIECA Communications, Inc.
dba Covad Communications Company
3420 Central Expressway
Santa Clara, CA 95051

Manager of Regulatory Affairs
Casade Access, LLC
P.O. Box 1285
Estacada, OR 97023

Manager of Regulatory Affairs
DSLnet Communications, LLC
545 Long Wharf Dr., 5th Floor
New Haven, CT 06511

Manager of Regulatory Affairs
Centurytel Solutions, LLC
100 Centurytel Drive
Monroe, LA 71203

Manager of Regulatory Affairs
Easton Telecom Services, LLC
Sunnitt II – Unit A
3046 Brecksville Road
Richfield, OH 44286

Manager of Regulatory Affairs
CI2, Inc.
200 Galleria Parkway, Suite 1200
Atlanta, GA 30339

Manager of Regulatory Affairs
Econodial, LLC
50 Broadway, Suite 1205
New York, NY 10004

Manager of Regulatory Affairs
CityNet Arizona, LLC
113 Platinum Dr.
Bridgeport, WV 26330

Manager of Regulatory Affairs
Enhanced Communication
dba Asian American Association
1031 S. Gendora Avenue
West Covina, CA 91790

Manager of Regulatory Affairs
Clear World Communications Corporation
3601 S. Harbor Blvd.
Santa Ana, CA 92704

Manager of Regulatory Affairs
Entrix Telecom, Inc.
520 Broad St.
Newark, NJ 07102

Manager of Regulatory Affairs
Coast International, Inc.
14303 W. 95th St.
Lenexa, KS 66215

Manager of Regulatory Affairs
Eschelon Telecom of Arizona, Inc.
730 Second Avenue South, Suite 900
Minneapolis, MN 55402

Manager of Regulatory Affairs
Comcast Business
dba Comcast Long Distance
1500 Market St.
34 East
Philadelphia, PA 19102

Manager of Regulatory Affairs
Exergy Group, Inc.
1550 West 84th Street, Suite 58
Hialeah, FL 33014

Manager of Regulatory Affairs
Comm South Companies, Inc.
8035 E. RL Thornton, Suite 410
Dallas, TX 75228

Manager of Regulatory Affairs
Frontier Communications of America, Inc.
180 South Clinton Avenue, Fifth Floor
Rochester, NY 14646

Manager of Regulatory Affairs
Comtech 21, LLC
One Barnes Park South
Wallingford, CT 06492

Manager of Regulatory Affairs
GC Acquisition Limited
dba Global Crossing
1080 Pittsford Victor Road
Pittsford, NY 14534

Manager of Regulatory Affairs
Covista, Inc.
721 Broad St., Suite 200
Chattanooga, TN 34702

Manager of Regulatory Affairs
Globalcom, Inc.
333 W. Wacker Drive , 15th Floor
Chicago, IL 60606

Manager of Regulatory Affairs
CTC Communications Corp.
220 Bear Hill Road
Waltham, MA 02451

Manager of Regulatory Affairs
Gold Line Telemanagement, Inc.
180 West Beaver Creek Road
Richmond Hill, ON L4B1B4

Manager of Regulatory Affairs
Custom Network Solutions, Inc.
210 Route 4 East, Suite 102
Paramus, NJ 07652

Manager of Regulatory Affairs
GTC Telecom
3151 Airway Avenue, Suite P-3
Costa Mesa, CA 92626

Manager of Regulatory Affairs
Cypress Communications Operating Company, Inc.
15 Piedmont Center, Suite 100
Atlanta, GA 30305

Manager of Regulatory Affairs
ICG Telecom Group, Inc.
161 Inverness Drive West, Suite 100
Englewood, CO 80112

Manager of Regulatory Affairs
Dancris Telecom, LLC
6900 E. Camelback Road, Suite 1003
Scottsdale, AZ 82251

Manager of Regulatory Affairs
Infonet Telecommunications Corporation
2160 East Grand Avenue
El Segundo, CA 90245

Manager of Regulatory Affairs
Dial-Thru, Inc.
17383 Sunset Blvd., Suite 350
Pacific Palisades, CA 90272

Manager of Regulatory Affairs
Intermedia Communications, Inc.
201 Spear St., 9th Floor
San Francisco, CA 94105

Manager of Regulatory Affairs
DNR Enterprises, LLC
dba Desert Wind Communications
3404 West Cheryl Drive, Suite A175
Phoenix, AZ 85051

Manager of Regulatory Affairs
Inter-Tel Netsolutions, Inc.
1615 S. 52nd St.
Tempe, AZ 85281

Manager of Regulatory Affairs
Encompass Communications, LLC
119 W. Tyler, Suite 260
Longview, TX 75601

Manager of Regulatory Affairs
ITC^Deltacom Communications
4092 South Memorial Parkway
Huntsville, AZ 35802

Manager of Regulatory Affairs
Ernest Communications, Inc.
5275 Triangle Pkwy, Suite 150
Norcross, GA 30092

Manager of Regulatory Affairs
KMC Data, LLC
KMC Telecom V, Inc.
KMC Data, LLC
1755 North Brown Road
Lawrenceville, GA 30043

Manager of Regulatory Affairs
Excel Telecommunications, Inc.
2440 Marsh Ln
Carrollton, TX 75006

Manager of Regulatory Affairs
LDC Telecommunications, Inc.
c/o InterControllers
0012 N. Dale Mabry Hwy, Suite 215
Tampa, FL 33618

Manager of Regulatory Affairs
Extelcom, Inc.
dba Express Tel
324 S. State, Suite 125
Salt Lake City, UT 84111

Manager of Regulatory Affairs
Least Cost Routing, Inc.
dba Long Distance Charges
40 Luce DelSol #1
Henderson, NV 89011

Manager of Regulatory Affairs
FirstMile Services, LLC
dba FirstMile Technologies
750 Liberty Drive
Westfield, IN 46074

Manager of Regulatory Affairs
Legent Communications Corporation
21084 Bake Pkwy, Suite 108
Lake Forest, CA 92618

Manager of Regulatory Affairs
France Telecom Corporate Solutions, LLC
2300 Corporate Park Drive
Mailstop SP0606
Herndon, VA 20171

Mr. Patrick Crocker
Main Street Telephone Company
900 Comerica Bldg.
Kalamazoo, MI 49007

Mr. Patrick Crocker
Global Internetworking, Inc.
900 Comerica Bldg.
Kalamazoo, MI 49007

Manager of Regulatory Affairs
MGEN Services Corp.
2510 N. Redhill Ave., Suite 230
Santa Ana, CA 92705

Manager of Regulatory Affairs
Granite Telecommunications, LLC
234 Copeland ST.
Quincy, MA 02169

Manager of Regulatory Affairs
National Directory Assistance, LLC
12700 Shelbyville Road
Danville Bldg.
Louisville, KY 40243

Manager of Regulatory Affairs
HJN Telecom, Inc.
dba Reliant Communications, Inc.
801 International Parkway, 5th Floor
Lake Mary, FL 32746

Manager of Regulatory Affairs
Network Billing Systems, LLC
155 Willowbrook Blvd.
Wayne, NJ 07470

Manager of Regulatory Affairs
IDT America, Corp.
520 Broad Street
Newark, NJ 07102

Manager of Regulatory Affairs
Network Enhanced Technologies, Inc.
700 S. Flower Street, Suite 420
Los Angeles, CA 90017

Manager of Regulatory Affairs
Infone, LLC
11200 Murray Scholls Place
Beaverton, OR 97007

Manager of Regulatory Affairs
Network Operator Services, Inc.
P.O. Box 3529
Longview, TX

Manager of Regulatory Affairs
Inmark, Inc.
dba Preferred Billing
7300 Hudson Blvd., Suite 265
Oakdale, MN 55128

Manager of Regulatory Affairs
New Century Telecom, Inc.
8180 Greensboro Dr., Suite 700
McLean, VA 22102

Manager of Regulatory Affairs
Ionex Communications North, Inc.
2020 Baltimore Ave.
Kansas City, MO 64108

Manager of Regulatory Affairs
NobelTel, LLC
5759 Fleet St.
Carlsbad, CA 92008

Manager of Regulatory Affairs
KDDI America, Inc.
c/o Patrick Crocker
900 Comerica Bldg
Kalamazoo, MI 49007

Manager of Regulatory Affairs
North County Communications Corporations
3802 Rosencrans, Suite 485
San Diego, CA 92110

Manager of Regulatory Affairs
LCR Telecommunications, LLC
100 W. Big Beaver Rd., Suite 200
Troy, MI 48084

Manager of Regulatory Affairs
Nosva Limited Partnership
dba CierraCom Systems
4380 Boulder Highway
Las Vegas, NV 89121-3002

Manager of Regulatory Affairs
LDMI Long Distance
27777 Franklin Rd., Suite 500
Southfield, MI 48034

Manager of Regulatory Affairs
Ntera, Inc.
1020 N.W. 163rd Drive
Miami, FL 33169

Manager of Regulatory Affairs
Legacy Telecommunications Corporation
4726 Shavano Oak, Suite 101
San Antonio, TX 78249

Manager of Regulatory Affairs
OLS, Inc.
217 Roswell St., Suite 100
Alpharetta, GA 30004

Manager of Regulatory Affairs
Level 3 Communications, LLC
1025 Eldorado Blvd.
Broomfield, CO 80021

Manager of Regulatory Affairs
Onelink Communications, Inc.
8400 N. University Drive, Suite 204
Tamarac, FL 33321

Manager of Regulatory Affairs
Long Distance Consolidated Billing Co.
7111 Dixie Hwy, Suite 211
Clarkston, MI 48340

Manager of Regulatory Affairs
OnFiber Carrier Services, Inc.
11921 N. Mopac Expressway, Suite 100
Austin, TX 78759

Manager of Regulatory Affairs
LoTel
dba Coordinated Billing Services
4646 Devonshire Circle
Shorewood, MN 55331

Manager of Regulatory Affairs
Pac-West Telecomm, Inc.
1776 W. March Ln, Suite 250
Stockton, CA 95207

Manager of Regulatory Affairs
Matrix Telecom, Inc.
2912 Lakeside Drive
Oklahoma, OK 73120

Manager of Regulatory Affairs
PNG Telecommunications, Inc.
P.O. Box 1848
West Chester, OH 45071

Manager of Regulatory Affairs
McLeodUSA Telecommunications Services, Inc.
6400 C Street
P.O. Box 3177
Cedar Rapids, IA 52406

Manager of Regulatory Affairs
Preferred Carrier Services, Inc.
dba Phones For All / Teléfonos Para
14681 Midway Road, Suite 105
Addison, TX 75001

Manager of Regulatory Affairs
NECC Telecom, Inc.
605 North Shore Drive
Jeffersonville, In 47130

Manager of Regulatory Affairs
Primo Communications, Inc.
617 Birchtree Ct.
Rochester Hills, MI 48306

Manager of Regulatory Affairs
Network Communications International Corp.
1809 Judson Road
Longview, TX 75605

Manager of Regulatory Affairs
Pronet Communications, Inc.
3290 Blazer Pkwy., Suite 201
Lexington, KY 40509

Manager of Regulatory Affairs
New Edge Network
3000 Columbia House Blvd., Suite 106
Vancouver, WA 98661

Manager of Regulatory Affairs
Qwest Communications Corporation
1801 California St., Rm. 1240
Denver, CO 80202

Manager of Regulatory Affairs
Norstan Network Services, Inc.
4805 Independence Pkwy, Suite 101
Tampa, FL 33634

Manager of Regulatory Affairs
R2C Communications, Inc.
9532 Mission Rd., #25
Overland, KS 66206

Manager of Regulatory Affairs
Nos Communications, Inc.
dba International Plus
4380 Boulder Highway
Las Vegas, NV 89121-3002

Manager of Regulatory Affairs
Reduced Rate Long Distance, LLC
1800 Rembrooke Dr., Suite 300
Orlando, FL 32810

Manager of Regulatory Affairs
NTS Communications, Inc.
5307 W. Loop 289
Lubbock, TX 79414

Manager of Regulatory Affairs
RRV Enterprises, Inc.
dba Consumer Access
6300 Richmond Avenue, Suite 303
Houston, TX 77057

Manager of Regulatory Affairs
One Point Communications
dba Verizon Avenue
Two Conway Park
150 Field Drive, Suite 300
Lake Forest, IL 60045

Manager of Regulatory Affairs
Snip Link, LLC
100-A Twinbridge DR.
Pennsauken, NJ 08110

Mr. Patrick Crocker
OPEX Communications
900 Comerica Bldg.
Kalamazoo, MI 49007

Manager of Regulatory Affairs
Startec Global Licensing Company
1151 Seven Locks Rd.
Potomac, MD 20854

Manager of Regulatory Affairs
Orbitcom, Inc.
1701 N. Louise Ave.
Sioux Falls, SD 57107

Manager of Regulatory Affairs
T.N.C., Inc.
7310 Woolworth Ave.
Omaha, NE 68124

Manager of Regulatory Affairs
Paetec Communications, Inc.
One Paetec Plaze
600 Willowbrook Office Park
Fairport, NY 14450

Mr. Patrick Crocker
Telco Partners, Inc.
900 Comerica Bldg.
Kalamazoo, MI 49007

Manager of Regulatory Affairs
Popp Telcom Incorporated
620 Mendelssohn Ave. N
Golden Valley, MN 55427

Manager of Regulatory Affairs
Teledata Solutions, Inc.
200 N. Westlake Blvd., Suite 104
Westlake Village, CA 91362

Manager of Regulatory Affairs
Primus Telecommunications, Inc.
7901 Jones Branch Dr., Suite 900
McLean, VA 22102

Manager of Regulatory Affairs
Telefyne Incorporated
4286 Woodbine Rd., Suite B
Pace, FL 32571

Manager of Regulatory Affairs
PT - 1 Long Distance
30 - 50 Whitestone Expressway
Flushing, NY 11354

Manager of Regulatory Affairs
Teleglobe America, Inc.
One Discovery Square
12010 sunset Hills Rd
Reston, VA 20190

Manager of Regulatory Affairs
QuantumShift Communications, Inc.
2657 Alcosta Blvd., Suite 418
San Ramon, CA 94583

Manager of Regulatory Affairs
Telemanagement Systems, Inc.
12150 E. Briarwood Ave., Suite 146
Centennial, CO 80112

Manager of Regulatory Affairs
Qwest LD Corporation
dba Qwest Long Distance
1801 California St., Room 1240
Denver, CO 80202

Manager of Regulatory Affairs
Telmex USA, LLC
c/o Visiology, Inc.
16061 Carmel Bay Dr.
Northport, AL 35475

Manager of Regulatory Affairs
Rio Virgin Telephone & Cablevision
P.O. Box 1285
Estacada, OR 97023

Manager of Regulatory Affairs
Telscape Communications, Inc.
606 E. Huntington Dr.
Monrovia, CA 91016

Manager of Regulatory Affairs
Rural Network Services, Inc.
2205 Keithley Creek Rd.
P.O. Box 217
Midvale, ID 83645

Manager of Regulatory Affairs
Time Warner Telecom of Arizona, LLC
10475 Park Meadows Dr., Suite 400
Littleton, CO 80124

Manager of Regulatory Affairs
SBC Long Distance, LLC
5850 W. Las Positas Blvd.
Pleasanton, CA 94588

Manager of Regulatory Affairs
Trans National Communications International, Inc.
2 Charlesgate West
Boston, MA 02215

Manager of Regulatory Affairs
Snet America, Inc.
dba SBC Long Distance East
310 Orange ST., 3rd Floor
New Haven, CT 06510

Manager of Regulatory Affairs
Trinsic Communications, Inc.
601 South Harbour Island Blvd.
Tampa, FL 33602

Manager of Regulatory Affairs
Sprint Communications Company LP
6391 Sprint Parkway
MS: Z2400
Overland Park, KS 66251

Manager of Regulatory Affairs
TTI National, Inc.
201 spear St., 9th Floor
San Francisco, CA 94105

Manager of Regulatory Affairs
Talk America, Inc.
6805 Route 202
New Hope, PA 18938

Manager of Regulatory Affairs
US LEC Communications, Inc.
6801 Morrison Blvd.
Charlotte, NC 28211

Manager of Regulatory Affairs
TCG Phoenix
6554 S. Zeno Ct.
Aurora, CO 80016

USA Digital Communications
1603 SE 19th Street, Suite 120
Edmond, OK 73013-6621

Manager of Regulatory Affairs
TDS Long Distance
525 Junction Rd.
Madison, WI 53717

Manager of Regulatory Affairs
Vanion Telecom, Inc.
2 North Cascade, Suite 900
Colorado Springs, CO 80903

Manager of Regulatory Affairs
Telecare, Inc.
444 Lafayette Rd
Noblesville, IN 46060

Manager of Regulatory Affairs
VarTec Solutions, Inc.
2440 Marsh Lane
Carrollton, TX 75006

Manager of Regulatory Affairs
Telecom Resources, Inc.
2020 Baltimore Ave.
Kansas City, MO 64108

Manager of Regulatory Affairs
Vycera Communications, Inc.
12750 High Bluff Drive, Ste. 200
San Diego, CA 92130

Manager of Regulatory Affairs
Teleconnect Long Distance Services and Systems
dba Telecom*USA
201 Spear St., 9th Floor
San Francisco, CA 94105

Manager of Regulatory Affairs
Wilshire Connection, LLC
633 West Street, 56th Floor
Los Angeles, CA 90071

Manager of Regulatory Affairs
Teledias Communications, Inc.
5605 Riggins Ct., Suite 265
Reno, NV 89502

Manager of Regulatory Affairs
Working Assets Funding Service
dba Working Assets Long Distance
101 Market St., Suite 700
San Francisco, CA 94105

Manager of Regulatory Affairs
Teleuno, Inc.
2754 N. Atlantic Blvd., Suite 8
Pompano Beach, FL 33069

Manager of Regulatory Affairs
Xspedius Management Co. of Pima County, LLC
Xspedius Management Co. Switched Services, LLC
14405 Laurel PL, Suite 200
Laurel, MD 20707

Manager of Regulatory Affairs
Telliss, LLC
10142 Brooks School Road, Suite 198
Fisher, IN 46038

Manager of Regulatory Affairs
Zenex Long Distance, Inc.
3705 W. Memorial, Ste. 101 - Z
Oklahoma City, OK 73134

Manager of Regulatory Affairs
The J. Richard Company
dba Live Wire Phone Company
4607 E. Molly Ln
Cave Creek, AZ 85331

Manager of Regulatory Affairs
Zone Telecom, Inc.
200 Lake Dr. East, Suite 200
Cherry Hill, NJ 08002

Manager of Regulatory Affairs
TON Services, Inc.
4185 Harrison Blvd., Suite 301
Ogden, UT 84403

Manager of Regulatory Affairs
Verizon Select Services, Inc.
6665 N. MacArthur Blvd.
HQB02K84
Irving, TX 75039-2443

Manager of Regulatory Affairs
Transcom Communications, Inc.
dba Comm Port Communications
1925 John Carpenter Freeway, Suite 540
Irving, TX 75063

Manager of Regulatory Affairs
W2Com International, LLC
3500 Park Center Dr.
Dayton, OH 45414

Manager of Regulatory Affairs
Transworld Network, Corp.
7702 Woodland Center Blvd., Suite 50
Tampa, FL 33614

Manager of Regulatory Affairs
X2Comm, Inc.
dba DC Communications
270 South Main Street
Flemington, NJ 08822

Manager of Regulatory Affairs
U.S. South Communications, Inc.
dba Incomm
250 Williams St., Suite 2360
Atlanta, GA 30303

Manager of Regulatory Affairs
Yak Communications, Inc.
300 Consilium PL
Scarborough, ON M1P4X4

Manager of Regulatory Affairs
United States Advanced Network, Inc.
3080 Northwoods Circle
Norcross, GA 30071

Manager of Regulatory Affairs
Uni-Tel Communications Group, Inc.
47 East Chicago Avenue #328
Naperville, IL 60540

Manager of Regulatory Affairs
US Wats, Inc.
2 Greenwood Square
3331 Street Road, Suite 275
Bensalem, PA 19020

Manager of Regulatory Affairs
Valley Connections, LLC
P.O. Box 970
Wilcox, AZ 85644

Manager of Regulatory Affairs
Vartec Telecom, Inc.
dba Vartec Telecom (R) / Clear Choice Communications
2440 March Lane
Carrollton, TX 75006

Mr. Christopher C. Kempley
Chief, Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Mr. Ernest G. Johnson
Director, Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Ms. Lyn Farmer
Chief, Hearing Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BEFORE THE ARIZONA CORPORATION COMMISSION

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

IN THE MATTER OF THE GENERIC
INVESTIGATION OF TARIFFING AND
NOTICE REQUIREMENTS FOR
COMBINED INTERSTATE AND
INTRASTATE CALLING PLANS

) DOCKET NO. RT-00000J-05-0329
)
) DECISION NO. _____
) ORDER
)
)
)

Open Meeting
March 31 and April 1, 2010
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On April 11, 2005, the Arizona Corporation Commission ("ACC" or "Commission") issued Decision No. 67745. Decision No. 67745 adopted a settlement agreement between the Commission's Utilities Division Staff ("Staff ") and Qwest LD Corporation ("QLDC") and its affiliates in the matter of Utilities Division v. Qwest LD Corp. (Docket No. T-04190A-04-0904). Decision No. 67745 also ordered Staff to commence a generic investigation and rulemaking proceeding to address the filing requirements and tariff obligations of interexchange carriers, therefore, this docket was opened on May 6, 2005.

2. The terms and conditions of the approved settlement agreement also included an agreement between Staff and Qwest LD Corp, its parent, affiliated companies or their successors ("Qwest") that the generic docket would be concluded within 18 months of Decision No. 67745, and an agreement by Staff that any new or additional filing requirements defined in the generic ...

1 docket will have application to Qwest on only a going forward basis from the date of the final
2 order in the generic docket. Staff initiated this generic docket on May 26, 2005.

3 3. On September 23, 2005, Staff issued its first set of data requests to inter-exchange
4 carriers, resellers of long distance, and/or incumbent long distance providers certificated in the
5 state of Arizona. On October 18, 2006, at Staffs' request, a telephonic procedural conference was
6 conducted. At the conference, Staff requested an extension of time to file its report. Qwest agreed
7 to Staffs' request for an extension.

8 4. On October 26, 2006, Staff issued an additional request for information to all
9 certificated inter-exchange carriers, resellers of long distance, and/or incumbent long distance
10 providers with operations in the state of Arizona. On December 19, 2006, Staff filed a
11 Memorandum containing its findings and recommendations.

12 Background

13 5. QLDC was certificated to provide long distance service on or about December 9,
14 2003, in Decision No. 66613. Qwest Communications Corporation ("QCC") was certificated to
15 provide long distance service on or about December 9, 2003, in Decision No. 66612. The services
16 of both QLDC and QCC were determined to be "competitive" by the Commission and subject to
17 the Commission's competitive classification rules.

18 6. Shortly after receiving Section 271 authorization from the Federal Communications
19 Corporation ("FCC"), QLDC and QCC began offering its Qwest Choice Long Distance calling
20 plan in Arizona. Customers who subscribed to the Qwest Choice Long Distance residential calling
21 plan prior to August 15, 2004, with service up to October 1, 2004, were assessed a \$.05/minute
22 rate for interstate, interLATA¹/intrastate, and intraLATA/intrastate long distance calls, and were
23 subject to the monthly cap of \$20.00 (if they had a qualifying Qwest Corporation² local service
24 home package) or \$25.00 (if they did not have a qualifying package). The calling plan was
25 advertised to consumers as having "no monthly surcharge."

26 _____
27 ¹ Local Access Transport Area ("LATA"). LATA represents an area within which a divested Regional Bell operating
company ("RBOC") is permitted to offer exchange telecommunications and exchange access services.

28 ² Qwest Corporation is the incumbent local exchange carrier.

1 7. As required by law, QLDC and QCC filed tariffs and price lists with the
2 Commission setting forth their rates for intrastate Qwest Choice Long Distance service, as well as
3 other long distance packages. Those tariffs and price lists became effective on December 15,
4 2003.

5 8. On or about August 31, 2004, QLDC sent a written notice to its existing Qwest
6 Choice Long Distance residential customers indicating that it was instituting a new monthly charge
7 of \$2.00 applicable on a per line basis. The notice also indicated that a \$.99 "interstate" services
8 fee would apply on a per account basis. Both charges took effect on October 1, 2004, for existing
9 customers and on August 16, 2004, for new customers. These charges apply to jurisdictionally
10 intrastate long distance calls.

11 9. QLDC did not include the new monthly charges in the price lists that it filed with
12 the Commission on July 5, 2004, with an effective date of August 5, 2004. Qwest did, however,
13 post new interstate rate schedules (Qwest LD Corp. RSS No. 1) which contained both of the new
14 monthly charges.

15 10. Shortly after QLDC gave notice of its \$2.99 monthly charge for its Qwest Choice
16 Long Distance residential plan, the Commission began receiving complaints regarding the new
17 charges.

18 11. Consumers expressed considerable dismay and frustration to the Commission that
19 Qwest had widely advertised its plan as having "No Monthly Fees", unlike the plans of other long
20 distance carriers. In reliance on this, they signed up for the Qwest residential Calling plan, only to
21 be informed shortly thereafter that Monthly Fees would henceforth apply. These consumers felt
22 that Qwest had misled them into signing up for its plan, since shortly thereafter the customers were
23 told that the plan's primary perceived benefit ("No Monthly Fee") was being eliminated.

24 12. On December 17, 2004, the Utilities Division ("Staff") filed a Complaint and
25 Petition For Order to Show Cause against QLDC alleging that the Qwest Choice Long Distance
26 residential plan offers the customer the capability of making both interstate and intrastate long
27 distance calls. Staff alleged that both interstate and intrastate calls were covered by the plan. As
28 such, Staff believed that Qwest was required to include in its intrastate price lists and tariffs all

1 conditions of the plan applicable to intrastate long distance calls, which in this case includes the
2 \$2.99 surcharge. Staff argued that unless QLDC is required to include all charges in its intrastate
3 tariff which are applicable to intrastate services, QLDC could in the future impose unilateral rate
4 increases on consumers for intrastate services without the oversight of the Commission and
5 without complying with applicable Arizona law. Staff asserted that QLDC cloaked its new
6 charges in an "interstate" veil to evade the Commission's oversight authority over intrastate
7 charges.

8 13. Staff's Complaint further alleged that QLDC formerly advertised its Qwest Choice
9 Long Distance plan as having "No Monthly Fees". The phrase "No Monthly Fees" or its
10 equivalent was prominently featured in advertisements by QLDC for its Qwest Choice Long
11 Distance plan.

12 14. Staff stated in its Complaint that after obtaining authority to sell long distance
13 services from the FCC under Section 271, Qwest and QLDC engaged in a concerted joint effort to
14 sign up existing Qwest customers to QLDC long-distance service. Part of this effort included
15 advertisements and promotional materials that promoted QLDC's Qwest Choice Long Distance
16 plan as having "No Monthly Fees".

17 15. Staffs Complaint also alleged that this prolonged advertising of the Qwest Choice
18 Long Distance plan as having "No Monthly Fees" created an expectation by QLDC customers that
19 the Qwest Choice Long Distance plan would, in fact, have no monthly fees. QLDC knew that its
20 advertising would create this expectation.

21 16. Staffs Complaint alleged violations of A.R.S. Section 40-365 and A.A.C. R14-2-
22 1106(B) which require public service corporations to file with the Commission schedules showing
23 all tolls, rates, rentals, charges, and classifications to be collected or enforced. The Staff also
24 alleged violations of A.R.S. Section 361 which requires the rates and charges of public service
25 corporations to be just and reasonable. Related violations of A.A.C. R14-2-110(B) and/or A.A.C.
26 R14-2-1109 were also alleged.

27 ...

28 ...

1 17. The Staff and QLDC subsequently engaged in settlement discussions in an effort to
2 resolve the allegations contained in the Staff Complaint. The parties entered into a Settlement
3 Agreement dated March 31, 2005.

4 18. Under the Settlement Agreement, Qwest agreed with Staffs interpretation of
5 Arizona rules on an interim basis and that it will file intrastate long distance service tariffs and
6 price lists in Arizona consistent with Staff's interpretation of the Arizona statutes and rules
7 pending the conclusion of the generic docket or further Order of the Commission. Staff agreed to
8 commence a generic proceeding examining the filing requirements and tariff obligations of all
9 interexchange carriers. Qwest also agreed to file with the Commission an intrastate tariff and/or
10 price list containing a charge equal to or equivalent to (but not in addition to) the \$2.99 monthly
11 surcharge which is now only included in the QLDC interstate rates and service schedule. Qwest
12 agreed to include any and all monthly charges of this nature in the applicable intrastate tariff until
13 such time as the generic docket is concluded or until further Order of the Commission.

14 19. Under the Settlement Agreement reached in Docket No. T-04190A-04-0904, and
15 approved by Decision No 67745, on April 11, 2005, Qwest agreed with Staff's interpretation of
16 Arizona rules on an interim basis and agreed to file intrastate long distance service tariffs and price
17 lists in Arizona consistent with Staff's interpretation of the Arizona statutes and rules pending the
18 conclusion of this generic docket or further Order of the Commission.

19 20. Staff was ordered to commence a generic investigation and rulemaking proceeding
20 to address the filing requirements and tariff obligations of interexchange carriers. The docket was
21 opened on May 6, 2005.

22 Staff's Analysis & Recommendations

23 21. Staff issued data requests to "Telecommunications Companies Holding CC&Ns in
24 Arizona as Inter-exchange Carriers, Resellers of Long Distance, and/or Incumbent Long Distance"
25 in this Generic Docket on September 23, 2005 and October 29, 2006.

26 The following questions were included in the September 23, 2005 data request issued to
27 192 Carriers:

28 ...

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- 1. Do you impose any charges that pertain to both interstate and intrastate long distance calls on your customers that do not appear in your Arizona tariffs?
- 2. If your answer to number one is yes, please provide a list of all such charges.
- 3. If your answer to number one is yes, for each such charge please indicate whether it applies only when there is interstate usage on a customer's bill in a particular month or whether the charge applies even when all usage is intrastate.
- 4. If a charge that is not is your Arizona tariff applies even when all usage is intrastate, please explain why such charge should not be included in your intrastate tariff.

RESPONSES TO THE SEPTEMBER 23, 2005 DATA REQUEST:

- 1. 124 Carriers responded.
- 2. AT&T, TCG, Sprint, Custom Network Solutions, Cincinnati Bell Long Distance, SBC Long Distance, Trinsic Communications and Granite Telecommunications responded "yes" to question 1. All others responded "no", including MCI.
- 3. Those responding "yes" to question #1 consistently supported their position by explaining that the charges that pertain to both interstate and intrastate long distance calls that do not appear in Arizona tariffs do appear in interstate tariffs.

The following questions were included in the October 29, 2006 data request issued to the same Carriers who were issued the September 23, 2005 data request:

- 1. Is it permissible under Arizona Rules and Statutes for an interexchange carrier to impose surcharges that pertain to both interstate and intrastate long distance calls but not to include those surcharges in the intrastate Arizona tariff filed with the Arizona Corporation Commission? Please explain your answer in detail.
- 2. How should A.A.C. R12-2-1106(B)(4), A.A.C. R14-2-1109, and A.C. R14-2- 1110 be interpreted with respect to charges for intrastate and interstate services provided in conjunction with each other? For example, a surcharge that applies regardless of which type (intrastate or interstate) of calls are actually made.
- 3. If a surcharge is said to apply to interstate toll charges only, but is also charged by the carrier when the customer makes solely intrastate toll charges, should the surcharge be included in the provider's intrastate tariff filed with the Arizona Corporation Commission and subject to the Commission's rules cited in question 2 above?
- 4. Should a new surcharge applicable to interstate toll calls, but which the carrier charges when solely intrastate toll calls are made, be included in the calculation of the carrier's maximum rate for purposes of A.A.C. 14-2-1110?

- 1 5. When bundled interstate and intrastate toll packages are offered, are the packages
2 subject to both federal and state statutes, rules and requirements?

3 RESPONSES TO THE OCTOBER 29, 2006 DATA REQUEST:

- 4 1. 4 Carriers responded.
- 5 2. 2 Carriers (AT&T and Qwest) provided additional information directly responsive
6 to the above information requests
- 7 3. AT&T's responses further clarify the AT&T responses to Staff's September 23,
8 2005 data request and are summarized as follows:
- 9 i. The intrastate tariffs for the AT&T long distance services explain that the
10 intrastate services are an add-on or offered in conjunction with AT&T's
11 interstate offering.
- 12 ii. A customer must first elect to purchase an interstate rate plan from AT&T
13 before adding an intrastate plan.
- 14 iii. There are no additional surcharges that apply to intrastate calls.
- 15 iv. If a customer chooses to make intrastate calls or interstate calls or a
16 combination of the interstate and intrastate calls or no long distance calls at all
17 during a particular month the charge still applies.
- 18 v. Fees first initiated under interstate plans, and not enhanced by the intrastate
19 plans, are outside the jurisdiction of the ACC, specifically, A.A.C. R12-2-
20 1106(B)(4), A.A.C. R14-2-1109, and A.A.C. R14-2- 1110.
- 21 4. Qwest filed comments related to Staff's October 29, 2006 information request that
22 can be summarized as follows:
- 23 i. Qwest continues to maintain that the Fees in question in T-04190A-04-0904,
24 and subject to Decision No. 67745, were assessed by QLDC in return for the
25 capability provided customers to use QLDC's network to place interstate calls.
- 26 ii. Qwest also believes that the remedy sought by the Staff would directly
27 challenge the exclusive jurisdiction Congress granted to the FCC over interstate
28 communications and carriers.

22. The Settlement Agreement between Qwest and Staff, attached to Decision No.
67745 as Exhibit 1, reflects Staff's belief that QLDC was required to file tariff and/or price list
revisions with the Commission prior to implementing a \$2.99 surcharge as part of its Qwest
Choice Long Distance calling plan, which applies to both interstate and intrastate long distance
calls made by Arizona customers.

1 IT IS FURTHER ORDERED that all intrastate long distance providers be given the same
2 alternatives outlined for Qwest LD Corporation in Finding of Fact No. 24.

3 IT IS FURTHER ORDERED that all intrastate long distance providers be given 90 days
4 from the effective date of this Decision to modify their Arizona intrastate tariffs accordingly.

5 IT IS FURTHER ORDERED that this Decision shall be become effective immediately.

6
7 **BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**

8
9 _____
10 CHAIRMAN

COMMISSIONER

11
12 COMMISSIONER

COMMISSIONER

COMMISSIONER

13
14 IN WITNESS WHEREOF, I, ERNEST G. JOHNSON,
15 Executive Director of the Arizona Corporation Commission,
16 have hereunto, set my hand and caused the official seal of
17 this Commission to be affixed at the Capitol, in the City of
18 Phoenix, this _____ day of _____, 2010.

19 _____
20 ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

21 DISSENT: _____

22
23 DISSENT: _____

24 SMO:AFF:lhM\MAS
25
26
27
28

1	SERVICE LIST FOR: GENERIC INVESTIGATION OF TARIFFING AND NOTICE	
	REQUIREMENTS	
2	DOCKET NO. RT-00000J-05-0329	
3	Manager of Regulatory Affairs	Manager of Regulatory Affairs
4	1-800-Reconex, Inc. (03318)	Advanced TelCom, Inc.
5	2500 Industrial Avenue	110 Stony Point Road, Second Floor
	Hubbard, Oregon 97032	Santa Rosa, CA 95401
6	Manager of Regulatory Affairs	Manager of Regulatory Affairs
7	Access One, Inc.	Affinity Network Incorporated dba
8	125 North Halsted Street	QuantumLink/HorizonaOne/VoIP/Optic
9	4th Floor	Communications
	Chicago, Illinois 60661	4380 Boulder Highway
		Las Vegas, Nevada 89121-3002
10	Manager of Regulatory Affairs	Manager of Regulatory Affairs
11	Access Point, Inc.	Advantage Telecommunications, Corp.
12	1100 Crescent Green, Suite 109	3001 Alona Avenue, Suite 304
	Cary, North Carolina 27511	Winter Park, Florida 32792
13	Manager of Regulatory Affairs	Manager of Regulatory Affairs
14	ACCXX Communications, LLC	Airespring, Inc.
15	4035 Tampa Road, Suite 6000	6060 Sepulveda Blvd., Suite 220
	Oldsmar, Florida 34677	Van Nuys, California 91411
16	Manager of Regulatory Affairs	Manager of Regulatory Affairs
17	Accutel Communications, Inc.	Airnex Communications, Inc.
18	dba Valuetel Communications, Inc.	3000 Executive Parkway, Suite 230
	1060 South Federal Highway, Suite A	San Ramon, California 94583
19	Delray Beach, Florida 334444	Manager of Regulatory Affairs
20	Manager of Regulatory Affairs	Alltel Communications, Inc.
21	Adelphia Telecommunications, Inc.	One Allied Drive
22	1 North Main Street	Little Rock, Arkansas 72202
	Coudersport, Pennsylvania 16915	Manager of Regulatory Affairs
23	ACN Communications Services, Inc.	Alliance Group Services, Inc.
24	32991 Hamilton Court	1221 Post Road East
	Farmington Hills, Michigan 48334	Westport, Connecticut 06880
25	Manager of Regulatory Affairs	Manager of Regulatory Affairs
26	Advanced Telemanagement Group, Inc.	American Cyber Corporation
27	dba ATG	dba Discount Plus
28	8912 East Pinnacle Peak Road, Suite 423	6053 Hudson Road, Suite 110
	Scottsdale, Arizona 85255	Woodbury, Minnesota 55125

1	Manager of Regulatory Affairs America Net, LLC	Manager of Regulatory Affairs Americorm Technologies, Inc. dba Network Utilization Services
2	3435 Wilshire Boulevard, Suite 1090	Post Office Box 990-165
3	Los Angeles, California 90001	Boston, Massachusetts 02199
4	Manager of Regulatory Affairs American Fiber Systems, Inc.	Manager of Regulatory Affairs Budget Phone, Inc.
5	100 Meridian Centre, Suite 250	Post Office Box 19360
6	Rochester, New York 14618	Shreveport, Louisiana 71149
7	Manager of Regulatory Affairs American Fiber Network, Inc.	Manager of Regulatory Affairs ASC Telecom, Inc.
8	dba AFN	dba AlternaTel
9	9401 Indian Creek Parkway, Suite 140	6391 Sprint Parkway/MS: Z2400
10	Overland Park, Kansas 66210	Overland Park, Kansas 66251
11	Manager of Regulatory Affairs American Phone Services, Corp.	Manager of Regulatory Affairs Buehner-Fry, Inc.
12	308 Maxwell Road, Suite 100	dba Resort Operator Services
13	Alpharetta, Georgia 30004	40 N.W. Greenwood Avenue
14	Manager of Regulatory Affairs American Long Lines, Inc.	Bend, Oregon 97701
15	700 Enterprise Road, Second Floor	Manager of Regulatory Affairs AT&T
16	Horsham, Pennsylvania 19044	6554 S. Zeno Ct
17	Manager of Regulatory Affairs Americatel Corporation	Aurora, Colorado 80016
18	dba 10 123 Americatel / 1010 123	Manager of Regulatory Affairs Business Discount Plan, Inc.
19	4045 N.W. 97th Avenue	One World Trade Center, Suite 800
20	Miami, Florida 33178	Long Beach, California 90831
21	Manager of Regulatory Affairs American Telecom. Systems, Inc.	Manager of Regulatory Affairs ATMC, Inc.
22	4450 Belden Village St., N.W., Suite 602	9045 Haven Avenue, Suite 106
23	Canton, Ohio 44718	Rancho Cucamonga, California 91730
24	Manager of Regulatory Affairs Amerivision Communications, Inc.	Manager of Regulatory Affairs Cimco Communications, Inc.
25	dba Affinity 4	1901 S. Meyers Road, Suite 700
26	One Bradway Executive Park	OakBrook Terrace, Illinois 60181
27	201 NW 63rd, Suite 200	
28	Oklahoma City, Oklahoma 73116	

1	Manager of Regulatory Affairs Bell Atlantic Communications dba Verizon Long Distance 1320 N. Courthouse Road, 9th Floor Arlington, Virginia 22201	Manager of Regulatory Affairs Buehner-Fry, Inc. dba Directdial USA 40 N.W. Greenwood Ave. Bend, OR 97701
4	Manager of Regulatory Affairs Cognigen Networks, Inc. 7001 Seaview Avenue NW, Suite 201 Seattle, Washington 98117	Manager of Regulatory Affairs D.D.D. Calling, Inc. 6300 Richmond Avenue, Suite 304 Houston TX 77057
8	Manager of Regulatory Affairs Better World Telecom, Inc. dba Better World Telecom 11921 Freedom Drive, Suite 550 Reston, VA 20190	Manager of Regulatory Affairs Business Network Long Distance, Inc. 1400 Sixteenth Street, Suite 400 Denver, CO 80202
11	Manager of Regulatory Affairs ConnectAmerica, Inc. dba Connect US of Delaware 1842 Centre Point Drive, Suite 128 Naperville, IL 60563	Manager of Regulatory Affairs Dialaround Enterprises, Inc. 30-50 Whitestone Expressway, 4th Floor Flushing, NY 11354
15	Manager of Regulatory Affairs Broadwing Communications, LLC 200 N. LaSalle Street Chicago, IL 60601	Manager of Regulatory Affairs Business Telecom, Inc. dba BTI Telecommunications Services 7037 Old Madison Pike, Suite #400 Huntsville, AL 35806
18	Manager of Regulatory Affairs CTI Long Distance, Inc. P.O. Box 800070 Portland, OR 97280	Manager of Regulatory Affairs DIECA Communications, Inc. dba Covad Communications Company 3420 Central Expressway Santa Clara, CA 95051
21	Manager of Regulatory Affairs BT Communications Sales, LLC 11440 Commerce Park Dr. Reston, VA 20191	Manager of Regulatory Affairs Casade Access, LLC P.O. Box 1285 Estacada, OR 97023
24	Manager of Regulatory Affairs Custom Teleconnect, Inc. 3111 S. Valley View, Suite E-120 Las Vegas, NV 89102	Manager of Regulatory Affairs DSLnet Communications, LLC 545 Long Wharf Dr., 5th Floor New Haven, CT 06511

1	Manager of Regulatory Affairs Centurytel Solutions, LLC 100 Centurytel Drive Monroe, LA 71203	Manager of Regulatory Affairs Eschelon Telecom of Arizona, Inc. 730 Second Avenue South, Suite 900 Minneapolis, MN 55402
2		
3		
4	Manager of Regulatory Affairs Easton Telecom Services, LLC Sunnitt II – Unit A 3046 Brecksville Road Richfield, OH 44286	Manager of Regulatory Affairs Comcast Business dba Comcast Long Distance 1500 Market St. 34 East Philadelphia, PA 19102
5		
6		
7		
8	Manager of Regulatory Affairs CI2, Inc. 200 Galleria Parkway, Suite 1200 Atlanta, GA 30339	Manager of Regulatory Affairs Exergy Group, Inc. 1550 West 84th Street, Suite 58 Hialeah, FL 33014
9		
10		
11	Manager of Regulatory Affairs Econodial, LLC 50 Broadway, Suite 1205 New York, NY 10004	Manager of Regulatory Affairs Comm South Companies, Inc. 8035 E. RL Thornton, Suite 410 Dallas, TX 75228
12		
13		
14	Manager of Regulatory Affairs CityNet Arizona, LLC 113 Platinum Dr. Bridgeport, WV 26330	Manager of Regulatory Affairs Frontier Communications of America, Inc. 180 South Clinton Avenue, Fifth Floor Rochester, NY 14646
15		
16		
17	Manager of Regulatory Affairs Enhanced Communication dba Asian American Association 1031 S. Gendora Avenue West Covina, CA 91790	Manager of Regulatory Affairs Comtech 21, LLC One Barnes Park South Wallingford, CT 06492
18		
19		
20	Manager of Regulatory Affairs Clear World Communications Corporation 3601 S. Harbor Blvd. Santa Ana, CA 92704	Manager of Regulatory Affairs GC Acquisition Limited dba Global Crossing 1080 Pittsford Victor Road Pittsford, NY 14534
21		
22		
23	Manager of Regulatory Affairs Entrix Telecom, Inc. 520 Broad St. Newark, NJ 07102	Manager of Regulatory Affairs Covista, Inc. 721 Broad St., Suite 200 Chattanooga, TN 34702
24		
25		
26	Manager of Regulatory Affairs Coast International, Inc. 14303 W. 95th St. Lenexa, KS 66215	
27		
28		

1	Manager of Regulatory Affairs Globalcom, Inc.	Manager of Regulatory Affairs Dial-Thru, Inc.
2	333 W. Wacker Drive , 15th Floor	17383 Sunset Blvd., Suite 350
3	Chicago, IL 60606	Pacific Palisades, CA 90272
4	Manager of Regulatory Affairs CTC Communications Corp.	Manager of Regulatory Affairs Intermedia Communications, Inc.
5	220 Bear Hill Road	201 Spear St., 9th Floor
6	Waltham, MA 02451	San Francisco, CA 94105
7	Manager of Regulatory Affairs Gold Line Telemanagement, Inc.	Manager of Regulatory Affairs DNR Enterprises, LLC
8	180 West Beaver Creek Road	dba Desert Wind Communications
9	Richmond Hill, ON L4B1B4	3404 West Cheryl Drive, Suite A175
10	Manager of Regulatory Affairs Custom Network Solutions, Inc.	Phoenix, AZ 85051
11	210 Route 4 East, Suite 102	Manager of Regulatory Affairs Inter-Tel Netsolutions, Inc.
12	Paramus, NJ 07652	1615 S. 52nd St.
13	Manager of Regulatory Affairs GTC Telecom	Tempe, AZ 85281
14	3151 Airway Avenue, Suite P-3	Manager of Regulatory Affairs Encompass Communications, LLC
15	Costa Mesa, CA 92626	119 W. Tyler, Suite 260
16	Manager of Regulatory Affairs Cypress Communications Operating	Longview, TX 75601
17	Company, Inc.	Manager of Regulatory Affairs ITC^Deltacom Communications
18	15 Piedmont Center, Suite 100	4092 South Memorial Parkway
19	Atlanta, GA 30305	Huntsville, AZ 35802
20	Manager of Regulatory Affairs ICG Telecom Group, Inc.	Manager of Regulatory Affairs Ernest Communications, Inc.
21	161 Inverness Drive West, Suite 100	5275 Triangle Pkwy, Suite 150
22	Englewood, CO 80112	Norcross, GA 30092
23	Manager of Regulatory Affairs Dancris Telecom, LLC	Manager of Regulatory Affairs KMC Data, LLC
24	6900 E. Camelback Road, Suite 1003	KMC Telecom V, Inc.
25	Scottsdale, AZ 82251	KMC Data, LLC
26	Manager of Regulatory Affairs Infonet Telecommunications Corporation	1755 North Brown Road
27	2160 East Grand Avenue	Lawrenceville, GA 30043
28	El Segundo, CA 90245	

1	Manager of Regulatory Affairs Excel Telecommunications, Inc. 2440 Marsh Ln Carrollton, TX 75006	Mr. Patrick Crocker Global Internetworking, Inc. 900 Comerica Bldg. Kalamazoo, MI 49007
2		
3		
4	Manager of Regulatory Affairs LDC Telecommunications, Inc. c/o InterControllers 0012 N. Dale Mabry Hwy, Suite 215 Tampa, FL 33618	Manager of Regulatory Affairs MGEN Services Corp. 2510 N. Redhill Ave., Suite 230 Santa Ana, CA 92705
5		
6		
7		Manager of Regulatory Affairs Granite Telecommunications, LLC 234 Copeland ST. Quincy, MA 02169
8	Manager of Regulatory Affairs Extelcom, Inc. dba Express Tel 324 S. State, Suite 125 Salt Lake City, UT 84111	
9		
10		Manager of Regulatory Affairs National Directory Assistance, LLC 12700 Shelbyville Road Danville Bldg. Louisville, KY 40243
11	Manager of Regulatory Affairs Least Cost Routing, Inc. dba Long Distance Charges 40 Luce DelSol #1 Henderson, NV 89011	
12		
13		Manager of Regulatory Affairs HJN Telecom, Inc. dba Reliant Communications, Inc. 801 International Parkway, 5th Floor Lake Mary, FL 32746
14	Manager of Regulatory Affairs FirstMile Services, LLC dba FirstMile Technologies 750 Liberty Drive Westfield, IN 46074	
15		
16		Manager of Regulatory Affairs Network Billing Systems, LLC 155 Willowbrook Blvd. Wayne, NJ 07470
17	Manager of Regulatory Affairs Legent Communications Corporation 21084 Bake Pkwy, Suite 108 Lake Forest, CA 92618	
18		
19		Manager of Regulatory Affairs IDT America, Corp. 520 Broad Street Newark, NJ 07102
20	Manager of Regulatory Affairs France Telecom Corporate Solutions, LLC 2300 Corporate Park Drive Mailstop SP0606 Herndon, VA 20171	
21		Manager of Regulatory Affairs Network Enhanced Technologies, Inc. 700 S. Flower Street, Suite 420 Los Angeles, CA 90017
22	Mr. Patrick Crocker Main Street Telephone Company 900 Comerica Bldg. Kalamazoo, MI 49007	
23		Manager of Regulatory Affairs Infone, LLC 11200 Murray Scholls Place Beaverton, OR 97007
24		
25		
26		
27		
28		

1	Manager of Regulatory Affairs Network Operator Services, Inc. P.O. Box 3529 Longview, TX	Manager of Regulatory Affairs Nosva Limited Partnership dba CierraCom Systems 4380 Boulder Highway Las Vegas, NV 89121-3002
4	Manager of Regulatory Affairs Inmark, Inc. dba Preferred Billing 7300 Hudson Blvd., Suite 265 Oakdale, MN 55128	Manager of Regulatory Affairs LDMI Long Distance 27777 Franklin Rd., Suite 500 Southfield, MI 48034
8	Manager of Regulatory Affairs New Century Telecom, Inc. 8180 Greensboro Dr., Suite 700 McLean, VA 22102	Manager of Regulatory Affairs Ntera, Inc. 1020 N.W. 163rd Drive Miami, FL 33169
11	Manager of Regulatory Affairs Ionex Communications North, Inc. 2020 Baltimore Ave. Kansas City, MO 64108	Manager of Regulatory Affairs Legacy Telecommunications Corporation 4726 Shavano Oak, Suite 101 San Antonio, TX 78249
14	Manager of Regulatory Affairs NobelTel, LLC 5759 Fleet St. Carlsbad, CA 92008	Manager of Regulatory Affairs OLS, Inc. 217 Roswell St., Suite 100 Alpharetta, GA 30004
17	Manager of Regulatory Affairs KDDI America, Inc. c/o Patrick Crocker 900 Comerica Bldg Kalamazoo, MI 49007	Manager of Regulatory Affairs Level 3 Communications, LLC 1025 Eldorado Blvd. Broomfield, CO 80021
20	Manager of Regulatory Affairs North County Communications Corporations 3802 Rosencrans, Suite 485 San Diego, CA 92110	Manager of Regulatory Affairs Onelink Communications, Inc. 8400 N. University Drive, Suite 204 Tamarac, FL 33321
24	Manager of Regulatory Affairs LCR Telecommunications, LLC 100 W. Big Beaver Rd., Suite 200 Troy, MI 48084	Manager of Regulatory Affairs Long Distance Consolidated Billing Co. 7111 Dixie Hwy, Suite 211 Clarkston, MI 48340
26		Manager of Regulatory Affairs OnFiber Carrier Services, Inc. 11921 N. Mopac Expressway, Suite 100 Austin, TX 78759
28		

1	Manager of Regulatory Affairs LoTel	Manager of Regulatory Affairs Network Communications Internat'l Corp.
2	dba Coordinated Billing Services	1809 Judson Road
3	4646 Devonshire Circle	Longview, TX 75605
4	Shorewood, MN 55331	Manager of Regulatory Affairs
5	Manager of Regulatory Affairs Pac-West Telecomm, Inc.	Pronet Communications, Inc.
6	1776 W. March Ln, Suite 250	3290 Blazer Pkwy., Suite 201
7	Stockton, CA 95207	Lexington, KY 40509
8	Manager of Regulatory Affairs Matrix Telecom, Inc.	Manager of Regulatory Affairs New Edge Network
9	2912 Lakeside Drive	3000 Columbia House Blvd., Suite 106
10	Oklahoma, OK 73120	Vancouver, WA 98661
11	Manager of Regulatory Affairs PNG Telecommunications, Inc.	Manager of Regulatory Affairs Qwest Communications Corporation
12	P.O. Box 1848	1801 California St., Rm. 1240
13	West Chester, OH 45071	Denver, CO 80202
14	Manager of Regulatory Affairs McLeodUSA Telecommunications Services, Inc.	Manager of Regulatory Affairs Norstan Network Services, Inc.
15	6400 C Street	4805 Independence Pkwy, Suite 101
16	P.O. Box 3177	Tampa, FL 33634
17	Cedar Rapids, IA 52406	Manager of Regulatory Affairs R2C Communications, Inc.
18	Manager of Regulatory Affairs Preferred Carrier Services, Inc.	9532 Mission Rd., #25
19	dba Phones For All / Teléfonos Para	Overland, KS 66206
20	14681 Midway Road, Suite 105	Manager of Regulatory Affairs Nos Communications, Inc.
21	Addison, TX 75001	dba International Plus
22	Manager of Regulatory Affairs NECC Telecom, Inc.	4380 Boulder Highway
23	605 North Shore Drive	Las Vegas, NV 89121-3002
24	Jeffersonville, In 47130	Manager of Regulatory Affairs Reduced Rate Long Distance, LLC
25	Manager of Regulatory Affairs Primo Communications, Inc.	1800 Rembrooke Dr., Suite 300
26	617 Birchtree Ct.	Orlando, FL 32810
27	Rochester Hills, MI 48306	Manager of Regulatory Affairs NTS Communications, Inc.
28		5307 W. Loop 289
		Lubbock, TX 79414

1	Manager of Regulatory Affairs RRV Enterprises, Inc.	Mr. Patrick Crocker	Telco Partners, Inc.
2	dba Consumer Access	900 Comerica Bldg.	Kalamazoo, MI 49007
3	6300 Richmond Avenue, Suite 303 Houston, TX 77057	4	Manager of Regulatory Affairs
4	Manager of Regulatory Affairs	5	Popp Telcom Incorporated
5	One Point Communications	6	620 Mendelssohn Ave. N
6	dba Verizon Avenue	7	Golden Valley, MN 55427
7	Two Conway Park	8	Manager of Regulatory Affairs
8	150 Field Drive, Suite 300	9	Teledata Solutions, Inc.
9	Lake Forest, IL 60045	10	200 N. Westlake Blvd., Suite 104
10	Manager of Regulatory Affairs	11	Westlake Village, CA 91362
11	Snip Link, LLC	12	Manager of Regulatory Affairs
12	100-A Twinbridge DR.	13	Primus Telecommunications, Inc.
13	Pennsauken, NJ 08110	14	7901 Jones Branch Dr., Suite 900
14	Mr. Patrick Crocker	15	McLean, VA 22102
15	OPEX Communications	16	Manager of Regulatory Affairs
16	900 Comerica Bldg.	17	Telefyne Incorporated
17	Kalamazoo, MI 49007	18	4286 Woodbine Rd., Suite B
18	Manager of Regulatory Affairs	19	Pace, FL 32571
19	Startec Global Licensing Company	20	Manager of Regulatory Affairs
20	1151 Seven Locks Rd.	21	PT – 1 Long Distance
21	Potomac, MD 20854	22	30 – 50 Whitestone Expressway
22	Manager of Regulatory Affairs	23	Flushing, NY 11354
23	Orbitcom, Inc.	24	Manager of Regulatory Affairs
24	1701 N. Louise Ave.	25	Teleglobe America, Inc.
25	Sioux Falls, SD 57107	26	One Discovery Square
26	Manager of Regulatory Affairs	27	12010 sunset Hills Rd
27	T.N.C., Inc.	28	Reston, VA 20190
28	7310 Woolworth Ave.		Manager of Regulatory Affairs
	Omaha, NE 68124		QuantumShift Communications, Inc.
	Manager of Regulatory Affairs		2657 Alcosta Blvd., Suite 418
	Paetec Communications, Inc.		San Ramon, CA 94583
	One Paetec Plaze		Manager of Regulatory Affairs
	600 Willowbrook Office Park		Telemanagement Systems, Inc.
	Fairport, NY 14450		12150 E. Briarwood Ave., Suite 146
			Centennial, CO 80112

1	Manager of Regulatory Affairs Qwest LD Corporation	Manager of Regulatory Affairs Snet America, Inc.
2	dba Qwest Long Distance	dba SBC Long Distance East
3	1801 California St., Room 1240	310 Orange ST., 3rd Floor
4	Denver, CO 80202	New Haven, CT 06510
5	Manager of Regulatory Affairs Telmex USA, LLC	Manager of Regulatory Affairs Trinsic Communications, Inc.
6	c/o Visiology, Inc.	601 South Harbour Island Blvd.
7	16061 Carmel Bay Dr.	Tampa, FL 33602
8	Northport, AL 35475	
9	Manager of Regulatory Affairs Rio Virgin Telephone & Cablevision	Manager of Regulatory Affairs Sprint Communications Company LP
10	P.O. Box 1285	6391 Sprint Parkway
11	Estacada, OR 97023	MS: Z2400
12	Manager of Regulatory Affairs Telscape Communications, Inc.	Overland Park, KS 66251
13	606 E. Huntington Dr.	Manager of Regulatory Affairs TTI National, Inc.
14	Monrovia, CA 91016	201 spear St., 9th Floor
15	Manager of Regulatory Affairs Rural Network Services, Inc.	San Francisco, CA 94105
16	2205 Keithley Creek Rd.	Manager of Regulatory Affairs Talk America, Inc.
17	P.O. Box 217	6805 Route 202
18	Midvale, ID 83645	New Hope, PA 18938
19	Manager of Regulatory Affairs Time Warner Telecom of Arizona, LLC	Manager of Regulatory Affairs US LEC Communications, Inc.
20	10475 Park Meadows Dr., Suite 400	6801 Morrison Blvd.
21	Littleton, CO 80124	Charlotte, NC 28211
22	Manager of Regulatory Affairs SBC Long Distance, LLC	Manager of Regulatory Affairs TCG Phoenix
23	5850 W. Las Positas Blvd.	6554 S. Zeno Ct.
24	Pleasanton, CA 94588	Aurora, CO 80016
25	Manager of Regulatory Affairs Trans National Communications	USA Digital Communications
26	International, Inc.	1603 SE 19th Street, Suite 120
27	2 Charlesgate West	Edmond, OK 73013-6621
28	Boston, MA 02215	Manager of Regulatory Affairs TDS Long Distance
		525 Junction Rd.
		Madison, WI 53717

1	Manager of Regulatory Affairs Vanion Telecom, Inc.	2	Manager of Regulatory Affairs Working Assets Funding Service dba Working Assets Long Distance 101 Market St., Suite 700 San Francisco, CA 94105
2	2 North Cascade, Suite 900	3	101 Market St., Suite 700 San Francisco, CA 94105
3	Colorado Springs, CO 80903	4	Manager of Regulatory Affairs Telecare, Inc.
4	Manager of Regulatory Affairs Telecare, Inc.	5	Teleuno, Inc.
5	444 Lafayette Rd	6	2754 N. Atlantic Blvd., Suite 8 Pompano Beach, FL 33069
6	Noblesville, IN 46060	7	Manager of Regulatory Affairs Xspedius Management Co. of Pima County, LLC
7	Manager of Regulatory Affairs VarTec Solutions, Inc.	8	Xspedius Management Co. Switched Services, LLC
8	2440 Marsh Lane	9	14405 Laurel PL, Suite 200 Laurel, MD 20707
9	Carrollton, TX 75006	10	Manager of Regulatory Affairs Telliss, LLC
10	Manager of Regulatory Affairs Telecom Resources, Inc.	11	10142 Brooks School Road, Suite 198 Fisher, IN 46038
11	2020 Baltimore Ave.	12	Manager of Regulatory Affairs Zenex Long Distance, Inc.
12	Kansas City, MO 64108	13	3705 W. Memorial, Ste. 101 – Z Oklahoma City, OK 73134
13	Manager of Regulatory Affairs Vycera Communications, Inc.	14	Manager of Regulatory Affairs The J. Richard Company dba Live Wire Phone Company
14	12750 High Bluff Drive, Ste. 200	15	4607 E. Molly Ln Cave Creek, AZ 85331
15	San Diego, CA 92130	16	Manager of Regulatory Affairs Zone Telecom, Inc.
16	Manager of Regulatory Affairs Teleconnect Long Distance Services and Systems	17	200 Lake Dr. East, Suite 200 Cherry Hill, NJ 08002
17	dba Telecom*USA	18	Manager of Regulatory Affairs TON Services, Inc.
18	201 Spear St., 9th Floor	19	4185 Harrison Blvd., Suite 301 Ogden, UT 84403
19	San Francisco, CA 94105	20	200 Lake Dr. East, Suite 200 Cherry Hill, NJ 08002
20	Manager of Regulatory Affairs Wilshire Connection, LLC	21	200 Lake Dr. East, Suite 200 Cherry Hill, NJ 08002
21	633 West Street, 56th Floor	22	200 Lake Dr. East, Suite 200 Cherry Hill, NJ 08002
22	Los Angeles, CA 90071	23	200 Lake Dr. East, Suite 200 Cherry Hill, NJ 08002
23	Manager of Regulatory Affairs Teledias Communications, Inc.	24	200 Lake Dr. East, Suite 200 Cherry Hill, NJ 08002
24	5605 Riggins Ct., Suite 265	25	200 Lake Dr. East, Suite 200 Cherry Hill, NJ 08002
25	Reno, NV 89502	26	200 Lake Dr. East, Suite 200 Cherry Hill, NJ 08002
26		27	200 Lake Dr. East, Suite 200 Cherry Hill, NJ 08002
27		28	200 Lake Dr. East, Suite 200 Cherry Hill, NJ 08002
28			

1	Manager of Regulatory Affairs Verizon Select Services, Inc. 6665 N. MacArthur Blvd. HQB02K84 Irving, TX 75039-2443	Manager of Regulatory Affairs Uni-Tel Communications Group, Inc. 47 East Chicago Avenue #328 Naperville, IL 60540
2		
3		
4	Manager of Regulatory Affairs Transcom Communications, Inc. dba Comm Port Communications 1925 John Carpenter Freeway, Suite 540 Irving, TX 75063	Manager of Regulatory Affairs US Wats, Inc. 2 Greenwood Square 3331 Street Road, Suite 275 Bensalem, PA 19020
5		
6		
7		
8	Manager of Regulatory Affairs W2Com International, LLC 3500 Park Center Dr. Dayton, OH 45414	Manager of Regulatory Affairs Valley Connections, LLC P.O. Box 970 Wilcox, AZ 85644
9		
10		
11	Manager of Regulatory Affairs Transworld Network, Corp. 7702 Woodland Center Blvd., Suite 50 Tampa, FL 33614	Manager of Regulatory Affairs Vartec Telecom, Inc. dba Vartec Telecom (R) / Clear Choice Communications 2440 March Lane Carrollton, TX 75006
12		
13		
14	Manager of Regulatory Affairs X2Comm, Inc. dba DC Communications 270 South Main Street Flemington, NJ 08822	Manager of Regulatory Affairs Steven M. Olea, Director Utilities Division Arizona Corporation Commission 1200 West Washington Street Phoenix, Arizona 85007
15		
16		
17		
18	Manager of Regulatory Affairs U.S. South Communications, Inc. dba Incomm 250 Williams St., Suite 2360 Atlanta, GA 30303	Manager of Regulatory Affairs Janice Alward, Chief Counsel Legal Division Arizona Corporation Commission 1200 West Washington Street Phoenix, Arizona 85007
19		
20		
21	Manager of Regulatory Affairs Yak Communications, Inc. 300 Consilium PL Scarborough, ON M1P4X4	
22		
23		
24	Manager of Regulatory Affairs United States Advanced Network, Inc. 3080 Northwoods Circle Norcross, GA 30071	
25		
26		
27		
28		