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BEFORE THE ARIZONA CORPORATION COMMISSION

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Commissioners
MARC SPITZER, Chairman
JIM IRVIN
WILLIAM MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON

Arizona Corporation Commission

DOCKETED

JUL 09 2003

AZ CORP COMMISSION
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IN THE MATTER OF US WEST
COMMUNICATIONS, INC.'S COMPLIANCE
WITH SECTION 271 OF THE
TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. T-00000A-97-0238

PROCEDURAL ORDER

BY THE COMMISSION:

On June 24, 2003, Arizona Corporation Commission ("Commission") Utilities Division Staff ("Staff") filed its Final Report and Recommendation on Checklist Items 1 and 2 arising from the July 30-31, 2002 Workshop ("Second Report") in the above-captioned matter. Staff also requested that the November 7, 2002 Procedural Order be amended to permit the Second Report to go directly to the Commission along with the related OSS report from this workshop. Staff reports that Qwest, Eschelon and AT&T (the parties who filed comments) have voiced agreement to the amended procedure so that this report can be considered by the Commission along with the OSS report from the Supplemental Workshop which was filed on February 25, 2003.

Qwest states that because the parties have had the Second Report for at least ten days, comments could be due very shortly. AT&T requests that comments to the Second Report be filed ten days following the issuance of a Procedural Order adopting Staff's recommendation, and that there be opportunity for Reply comments.

The November 7, 2002 Procedural Order provides, *inter alia*, that when Staff issues a Supplemental Report in the Section 271 proceeding concerning the July 2002 Workshops, parties would have ten days to file comments on Staff's Report, and that Staff would then file a Final Supplemental Report addressing the parties' comments. The Procedural Order provides that if there are disputed issues, the matter will be submitted to the Hearing Division for resolution.

Staff's request to amend the November 7, 2002 Procedural Order is reasonable and should be

1 adopted. The issues addressed in the Second Report related to checklist items nos. 1 and 2, but are
 2 inter-related to the OSS issues addressed in the February 25, 2003, OSS Supplemental Report. The
 3 parties have had ample opportunity to participate in the process and will have opportunity to file
 4 comments to the Second Report, Reply comments, and exceptions to the resultant Staff Proposed
 5 Order. The proposed modification to the procedure will not prejudice any party nor will it deprive the
 6 Commission of relevant information. The proposed modification also promotes judicial efficiency.

7 IT IS THEREFORE ORDERED that the November 7, 2002 Procedural Order is modified to
 8 permit Staff to submit the Second Report, filed comments, and a Staff Proposed Order directly to the
 9 Commission for consideration.

10 IT IS FURTHER ORDERED that parties shall file any comments to the Second Report by
 11 July 18, 2003, and any Reply Comments by July 25, 2003.

12 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
 13 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

14 DATED this 9th day of July, 2003.

15
 16 
 17 JANE L. RODDA
 ADMINISTRATIVE LAW JUDGE

18 Copies of the foregoing mailed/delivered
 19 this 9th day of July, 2003, to

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9 By:


Molly Johnson
Secretary to Jane Rodda

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