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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

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AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

AUG 3 2010

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF TRACFONE WIRELESS, INC. FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER FOR THE LIMITED PURPOSE OF OFFERING LIFELINE AND LINK UP SERVICES TO QUALIFIED HOUSEHOLDS IN ARIZONA.

DOCKET NO. T-20664A-09-0148

PROCEDURAL ORDER

BY THE COMMISSION:

On March 24, 2009, TracFone Wireless, Inc. ("TracFone") filed with the Arizona Corporation Commission ("Commission") an application for designation as an Eligible Telecommunications Carrier ("ETC") for the limited purpose of offering Lifeline and Link Up services in Arizona.

On July 27, 2009, TracFone filed a First Amendment to Petition for Designation as an ETC.

On August 7, 2009, TracFone filed a Revised First Amendment to its application.

On October 28, 2009, TracFone filed a Second Amendment to its application.

On December 18, 2009, the Arizona Local Exchange Carriers Association ("ALECA") filed a Motion to Intervene.

On February 8, 2010, TracFone filed a response to ALECA's Motion to Intervene, stating that TracFone does not object to ALECA's intervention and that its proposed services are not the same as those offered by ALECA member companies.

By Procedural Order issued on February 19, 2010, the Commission's Utilities Division ("Staff") was directed to file a response to ALECA's Motion to Intervene.

On March 1, 2010, Staff filed a response to ALECA's Motion to Intervene, stating that Staff has no objection to the intervention.

On March 16, 2010, by Procedural Order, ALECA's Motion to Intervene was granted.

On April 7, 2010, pursuant to Arizona Supreme Court Rule 38(a), Kristine K. Campbell, an

1 attorney with Greenberg Taurig, LLP, filed with the Commission a Motion and Consent of Local  
2 Counsel for *Pro Hac Vice* Admission of Mitchell Brecher on behalf of TracFone Wireless, Inc.

3 On April 15, 2010, by Procedural Order, Mitchell Brecher was admitted *pro hac vice* in this  
4 matter with Kristine K. Campell as the designated member for the Arizona State Bar with whom  
5 communications may be made and papers may be served.

6 On April 29, 2010, Staff issued a Staff Report, recommending approval of TracFone's  
7 application with conditions.

8 On May 10, 2010, by Procedural Order, a procedural conference was scheduled for May 20,  
9 2010.

10 On May 20, 2010, a procedural conference was held as scheduled. TracFone, Intervenor  
11 ALECA, and Staff appeared through counsel. During the procedural conference, procedural  
12 deadlines were discussed; other Commission Decisions regarding TracFone's proposed services were  
13 discussed; the parties were directed to make a joint filing updating the Commission on any settlement  
14 of the issues raised in this proceeding; and tentative dates for a status conference were discussed.

15 On May 25, 2010, by Procedural Order, a status conference was scheduled to commence on  
16 July 1, 2010.

17 On June 21, 2010, Staff filed a request to vacate the July 1, 2010, status conference  
18 ("Request"). The Request stated the parties were in the process of trying to resolve the disputed  
19 issues and that all the parties were in an agreement that more time was needed.

20 On June 25, 2010, by Procedural Order, Staff's request to vacate the July 1, 2010, status  
21 conference was granted and the parties were ordered to make a joint filing within 30 days updating  
22 the Commission on the resolution of any disputed issues.

23 On July 26, 2010, the parties filed a joint status report stating that significant progress had  
24 been made towards narrowing the disputed issues, but that additional time, until August 16, 2010, is  
25 needed.

26 The parties' request for additional time is reasonable and should be granted. Further, to  
27 provide the parties with ample time to resolve the disputed issues the time should be extended until  
28 August 31, 2010, to file the joint status report.

1 IT IS THEREFORE ORDERED that the Parties to the above captioned matter shall make a  
2 joint filing on or before August 31, 2010, updating the Commission on the resolution of any disputed  
3 issues.

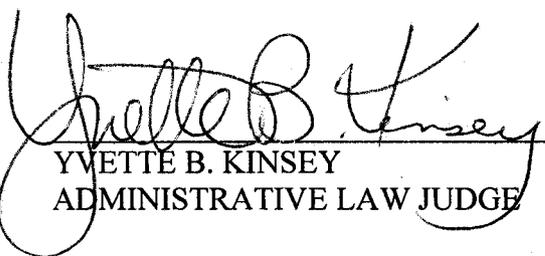
4 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
5 Communications) applies to this proceeding.

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

12 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules  
13 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro*  
14 *hac vice*.

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

17 DATED this 3<sup>rd</sup> day of August, 2010.

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YVETTE B. KINSEY  
ADMINISTRATIVE LAW JUDGE

24 Copies of the foregoing mailed/delivered  
this 3<sup>rd</sup> day of August, 2010 to:

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By:   
Debra Broyles  
Secretary to Yvette B. Kinsey