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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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AZ CORP COMMISSION
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COMMISSIONERS

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

IN THE MATTER OF AUTOTEL CORP.'S
BONA FIDE REQUEST FOR
TERMINATION OF EXEMPTION
PURSUANT TO SECTION 251(f)(1)(B) OF
THE TELECOMMUNICATIONS ACT OF
1996 AND TO PROVIDE COMMERCIAL
MOBILE RADIO SERVICES IN ARIZONA.

DOCKET NO. T-03214A-10-0051

PROCEDURAL ORDER

BY THE COMMISSION:

On February 9, 2010, Autotel Corp. ("Autotel") filed with the Arizona Corporation Commission ("Commission") a Bona Fide Request for Termination of Exemption ("Request") pursuant to the Telecommunications Act of 1996. The Request states Autotel is seeking an interconnection agreement with Frontier Communications Corporation ("Frontier") to provide Commercial Mobile Radio Service ("CMRS") in Arizona. The Request states Frontier has advised Autotel that it has not formally invoked its rights as a rural carrier in any of the existing legal entities Frontier operates in Arizona. Autotel requests that the Commission conduct an inquiry to determine if any of the Frontier operating companies meet the definition of Rural Telephone Company under 47 U.S.C. 153 (37).

On June 30, 2010 and July 7, 2010, Autotel filed a Petition for Arbitration under § 252 of the Telecommunications Act of 1996 and requested that the Commission arbitrate an interconnection agreement between Autotel and Frontier.

On July 13, 2010, by Procedural Order, the Commission's Utilities Division ("Staff") and Frontier were directed to file a response to Autotel's Request and Petition for Arbitration.

On July 27, 2010, Staff filed a response stating that the Commission had conducted an earlier arbitration between Frontier¹ and Autotel and that Autotel had refused to sign the agreement prepared

¹ Frontier was formerly named Citizens Communications Company ("Citizens"). See Docket No. T-03234A-03-0188.

1 by Citizens incorporating the terms of the arbitration as required by Commission Decision No.
2 67273. Staff also stated that it believes Autotel's Petition maybe procedurally deficient and that
3 Autotel's Request may be moot and unnecessary. Staff requests that a procedural conference be
4 scheduled to discuss whether Autotel's Request and Petition should be dismissed.

5 On the same date, Frontier filed a Motion to Dismiss in response to Autotel's Request and
6 Petition. Frontier requests that Autotel's Petition for Arbitration be dismissed because a current
7 Arbitration Order is still in effect and alternatively, that the Petition be dismissed because it lacks
8 specificity as to the issues to be resolved.

9 Accordingly, a procedural conference should be scheduled to discuss Frontier's Motion to
10 Dismiss and to determine whether a procedural schedule should be set.

11 IT IS THEREFORE ORDERED that a **procedural conference** shall be held on **September 1,**
12 **2010, at 10:00 a.m.,** at the Commission's offices, 1200 West Washington Street, Hearing Room 1,
13 Phoenix, Arizona.

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

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

23 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
24 Communications) applies to this proceeding and shall remain in effect until the Commission's
25 Decision in this matter is final and non-appealable.

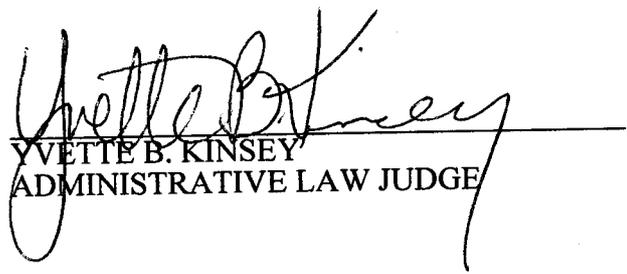
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1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
2 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3 Dated this 3rd day of August, 2010.

4
5
6 
7 YVETTE B. KINSEY
ADMINISTRATIVE LAW JUDGE

8 Copies of the foregoing mailed/delivered
9 this 3rd day of August, 2010 to:

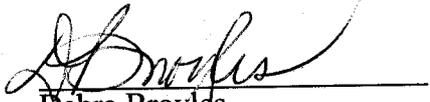
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12 P.O. Box 1618
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14 Jenny Smith, Manager
15 Interconnection Services
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23
24 By: 
25 Debra Broyles
26 Secretary to Yvette B. Kinsey