

ORIGINAL



0000113619

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

COMMISSIONERS

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

2010 JUN 28 P 12: 21

AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF THE JOINT APPLICATION OF QWEST CORPORATION, QWEST COMMUNICATIONS COMPANY, LLC, QWEST LD CORP. dba QWEST LONG DISTANCE, EMBARQ PAYPHONE SERVICES, INC. AND CENTURYTEL SOLUTIONS, LLC FOR APPROVAL OF THE PROPOSED MERGER OF THEIR PARENT CORPORATIONS QWEST COMMUNICATIONS INTERNATIONAL INC. AND CENTURYTEL, INC.

- DOCKET NO. T-01051B-10-0194  
 T-02811B-10-0194  
 T-04190A-10-0194  
 T-20443A-10-0194  
 T-03555A-10-0194  
 T-03902A-10-0194

PROPOSED FORM OF NOTICE

As noted during the procedural conference held June 22, 2010, the Utilities Division ("Staff") of the Arizona Corporation Commission indicated that it would provide comments to the Joint Applicants regarding the proposed form of notice attached to the Joint Applicants' request for a procedural conference. After review and comment provided to the Joint Applicants, Staff and the Joint Applicants agree with the proposed form of notice. A copy is attached as Exhibit A.

RESPECTFULLY SUBMITTED this 28<sup>th</sup> day of June, 2010.

Maureen A. Scott, Senior Staff Counsel  
 Robin R. Mitchell, Staff Attorney  
 Legal Division  
 Arizona Corporation Commission  
 1200 West Washington Street  
 Phoenix, Arizona 85007  
 (602) 542-3402

Arizona Corporation Commission  
**DOCKETED**

JUN 28 2010

DOCKETED BY

1 Original and thirteen (13) copies  
2 of the foregoing filed this  
28<sup>th</sup> day of June, 2010 with:

3  
4 Docket Control  
5 Arizona Corporation Commission  
6 1200 West Washington Street  
7 Phoenix, Arizona 85007

8 Copies of the foregoing mailed this  
28<sup>th</sup> day of June, 2010 to:

9 Jeffrey W. Crockett  
10 Bradley S. Carroll  
11 SNELL & WILMER LLP  
12 One Arizona Center  
13 400 East Van Buren Street  
14 Phoenix, Arizona 85004-2202  
15 Attorney for CenturyLink

16 Kevin K. Zarling  
17 Senior Counsel  
18 CENTURYLINK  
19 400 West 15<sup>th</sup> Street, Suite 315  
20 Austin, Texas 78701  
21 Attorney for CenturyLink

22 Norman G. Curtright  
23 Associate General Counsel  
24 QWEST CORPORATION  
25 20 East Thomas Road, 16<sup>th</sup> Floor  
26 Phoenix, Arizona 85012  
27 Attorney for Qwest

28 Michael W. Patten  
Timothy J. Sabo  
ROSHKA, DeWULF & PATTEN, PLC  
One Arizona Center  
400 East Van Buren, Suite 800  
Phoenix, Arizona 85004  
Attorney for Cox Arizona Telecom, LLC,  
Level 3 Communications, LLC,  
Paetec Business Services and Integra Telecom

Karen L. Clauson  
Vice President, Law & Policy  
INTEGRA TELECOM  
6160 Golden Hills Drive  
Golden Valley, Minnesota 55416-1020

Gregory Merz  
GRAY, PLANT, MOOTY,  
MOOTY & BENNETT, P.A.  
500 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota 55402

Gregory L. Rogers  
LEVEL 3 COMMUNICATIONS, LLC  
1025 Eldorado Boulevard  
Broomfield, Colorado 80021

Rogelio Peña  
PENA & ASSOCIATES, LLC  
4845 Pearl East Circle, Suite 101  
Boulder, Colorado 80301

Daniel W. Pozefsky  
Chief Counsel  
RESIDENTIAL UTILITY CONSUMER OFFICE  
1110 West Washington, Suite 220  
Phoenix, Arizona 85007

Nicholas J. Enoch  
Jarrett J. Haskovec  
LUBIN & ENOCH, P.C.  
349 North Fourth Avenue  
Phoenix, Arizona 85003  
Attorneys for Communications Workers of  
America and AFL-CIO, CLC

Stephen S. Melnikoff  
General Attorney  
REGULATORY LAW OFFICE (JALS-RL)  
U.S. Army Litigation Center  
901 North Stuart Street, Suite 700  
Arlington, Virginia 22203-1837

1 Michel Singer Nelson  
2 360NETWORKS (USA) INC.  
3 370 Interlocken Blvd., Ste. 600  
4 Broomfield, Colorado 80021

5 William A. Haas  
6 Vice President of Public Policy & Regulatory  
7 PAETEC HOLDING CORP.  
8 One Martha's Way  
9 Hiawatha, Iowa 52233

10 James C. Falvey  
11 Senior Regulatory Counsel  
12 PAC-WEST TELECOMM, INC.  
13 420 Chinquapin Round Rd., Ste. 2-1  
14 Annapolis, Maryland 21401

15 Joan S. Burke.  
16 LAW OFFICE OF JOAN S. BURKE  
17 1650 North First Avenue  
18 Phoenix, Arizona 85003

19 Penny Stanley  
20 360NETWORKS (USA) INC.  
21 370 Interlocken Blvd., Ste. 600  
22 Broomfield, Colorado 80021

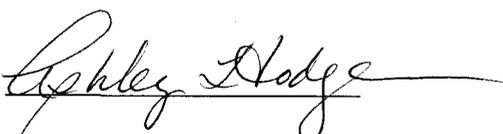
23 Mark A. DiNunzio  
24 COX ARIZONA TELECOM, LLC  
25 1550 West Deer Valley Road  
26 MV DV3-16, Bldg. C  
27 Phoenix, Arizona 85027

28 Scott J. Rubin  
333 Oak Lane  
Bloomsburg, Pennsylvania 17815

Harry Gildea  
SNAVELY KING MAJOROS  
O'CONNOR & BEDELL, INC.  
1111 14<sup>th</sup> Street, N.W., Suite 300  
Washington, D.C. 20005

Copy of the foregoing Emailed this  
28<sup>th</sup> day of June, 2010 to:

Lyndall Nipps  
Vice President, Regulatory  
TW TELECOM OF ARIZONA, LLC  
Email: [Lyndall.Nipps@twtelecom.com](mailto:Lyndall.Nipps@twtelecom.com)

27  
28 

# **EXHIBIT A**

**PUBLIC NOTICE OF THE HEARING ON THE JOINT APPLICATION OF QWEST CORPORATION, QWEST COMMUNICATIONS COMPANY, LLC, QWEST LD CORP., DBA QWEST LONG DISTANCE, EMBARQ COMMUNICATIONS, INC., EMBARQ PAYPHONE SERVICES, INC., AND CENTURYTEL SOLUTIONS, LLC, FOR APPROVAL OF THE PROPOSED MERGER OF THEIR PARENT CORPORATIONS QWEST COMMUNICATIONS INTERNATIONAL INC. AND CENTURYTEL, INC. (DOCKET NOS. T-01051B-10-0194, T-02811B-10-0194, T-04190A-10-0194, T-20443A-10-0194, T-03555A-10-0194, T-03902A-10-0194)**

On May 13, 2010, Qwest Corporation, Qwest Communications Company, LLC, Qwest LD Corp., dba Qwest Long Distance, Embarq Communications, Inc., Embarq Payphone Services, Inc., and CenturyTel Solutions, LLC, ("Applicants") filed with the Arizona Corporation Commission ("Commission") a joint application for approval of the merger of their parent corporations Qwest Communications International Inc. and CenturyTel, Inc. The Commission's Utilities Division ("Staff") has not yet made a recommendation regarding the Applicants' application, and the Commission is not bound by the proposals made by the Applicants, Staff, or any intervenors. The Commission will issue a decision regarding the Applicants' application following consideration of testimony and evidence presented at an evidentiary hearing.

**How You Can View or Obtain a Copy of the Application**

Copies of the application are available at the Applicants' offices, Qwest Corporation, 20 East Thomas Road – 16<sup>th</sup> Floor, Phoenix, Arizona 85012, and the Commission's offices at 1200 West Washington, Phoenix, Arizona 85007, for public inspection during regular business hours and on the internet via the Commission website ([www.azcc.gov](http://www.azcc.gov)) using the e-docket function.

**Arizona Corporation Commission Public Hearing Information**

The Commission will hold a hearing on this matter beginning **September 15, 2010, at 10:00 AM**, or as soon thereafter as is practical, at the Commission's offices, Hearing Room 1, 1200 West Washington Street, Phoenix, Arizona 85007. Public comments will be taken on the first day of the hearing. Written public comments may be submitted via email (visit [http://www.azcc.gov/divisions/utilities/forms/public\\_comment.pdf](http://www.azcc.gov/divisions/utilities/forms/public_comment.pdf) for instructions), or by mailing a letter referencing Docket Nos. T-01051B-10-0194, T-02811B-10-0194, T-04190A-10-0194, T-20443A-10-0194, T-03555A-10-0194, and T-03902A-10-0194 to: Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, Arizona 85007. If you require assistance, you may contact the Consumer Services Section at (800) 222-7000 or (602) 542-4251.

**About Intervention**

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. **If you would like to intervene, you must file a written motion to intervene with the Commission no later than July, 9, 2010.** You must send copies of the motion to the Applicants or their counsel and to all parties of record in the case. Your motion to intervene must contain the following:

1. Your name, address, and telephone number, and the name, address, and telephone number of any party upon whom documents are to be served in your place, if desired;
2. A short statement of your interest in the proceeding (e.g., a customer of the Applicants, a shareholder of the Applicants, etc.); and

3. A statement certifying that a copy of your motion to intervene has been mailed to the Applicants or their counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that **all motions to intervene must be filed on or before July 9, 2010.** If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervenor obtaining counsel to represent the intervenor. For information about requesting intervention, visit the Arizona Corporation Commission's webpage at <http://www.azcc.gov/divisions/utility/forms.asp>. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any customer from appearing at the hearing and making a statement on such customer's own behalf.

**ADA/Equal Access Information**

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator Shaylin Bernal, E-mail [sabernal@azcc.gov](mailto:sabernal@azcc.gov), voice phone number (602) 542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.