

**ORIGINAL**



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**BEFORE THE ARIZONA CORPORATION COMMISSION**

**RECEIVED**

Arizona Corporation Commission

**COMMISSIONERS**

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

2010 JUL 19 P 3:51

**DOCKETED**

JUL 19 2010

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

DOCKETED BY *MM*

IN THE MATTER OF THE JOINT NOTICE AND )	DOCKET NOS. T-01051B-10-0194
APPLICATION OF QWEST CORPORATION, )	T-02811B-10-0194
QWEST COMMUNICATIONS COMPANY, LLC, )	T-04190A-10-0194
QWEST LD CORP., EMBARQ )	T-20443A-10-0194
COMMUNICATIONS, INC. D/B/A CENTURY )	T-03555A-10-0194
LINK COMMUNICATIONS, EMBARQ )	T-03902A-10-0194
PAYPHONE SERVICES, INC. D/B/A )	
CENTURYLINK, AND CENTURYTEL )	
SOLUTIONS, LLC FOR APPROVAL OF THE )	
PROPOSED MERGER OF THEIR PARENT )	
CORPORATIONS QWEST COMMUNICATIONS )	
INTERNATIONAL INC. AND CENTURYTEL, )	
INC. )	

**MOTION AND CONSENT OF MICHAEL W. PATTEN FOR  
PRO HAC VICE ADMISSION OF GREGORY RONALD MERZ  
ON BEHALF OF INTEGRA TELECOM**

Pursuant to Rule 33(c) and (d) Rules of Supreme Court, Michael W. Patten moves the Arizona Corporation Commission to admit Gregory R. Merz as counsel pro hac vice in this action.

The following exhibits are attached here to pursuant to Rule 33(c) and (d):

1. The Original Verified Application;
2. The Certificate of Good Standing; and
3. The State Bar of Arizona Notice of Receipt.

The filing fee as required under Rule 33(d) has been submitted to the State Bar of Arizona. Michael W. Patten hereby agrees to serve as designated local counsel for the above-captioned docket.

**ROSHKA DEWULF & PATTEN, PLC**  
ONE ARIZONA CENTER  
400 EAST VAN BUREN STREET - SUITE 800  
PHOENIX, ARIZONA 85004  
TELEPHONE NO 602-256-6100  
FACSIMILE 602-256-6800

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RESPECTFULLY SUBMITTED this 19<sup>th</sup> day of July 2010.

**INTEGRA TELECOM**

By   
Michael W. Patten  
Roshka DeWulf & Patten, PLC  
One Arizona Center  
400 East Van Buren Street, Suite 800  
Phoenix, Arizona 85004

Original and 13 copies of the foregoing  
filed this 19<sup>th</sup> day of July 2010 with:

Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Copy of the foregoing hand-delivered/mailed  
this 19<sup>th</sup> day of July 2010 to:

Belinda Martin, Esq.  
Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

Jeffrey W. Crockett  
Bradley Carroll  
Snell & Wilmer  
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Phoenix, Arizona 85007

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Phoenix, Arizona 85007

Norman Curtright  
Qwest Corporation  
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Phoenix, Arizona 85012

Joan S. Burke  
Law Office of Joan S. Burke  
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Phoenix, Arizona 85003

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FACSIMILE 602-256-6800

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- 7 1025 Eldorado Blvd.
- 8 Broomfield, CO 80021
  
- 9 Rogelio Peña  
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- 12 PAETEC Holding Corp.
- 13 One Martha's Way,  
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- 14 Karen L. Clauson  
Vice President, Law & Policy
- 15 Integra Telecom
- 16 6160 Golden Hills Drive  
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- 17 Gregory Merz  
Gray Plant Mooty
- 18 500 IDS Center
- 19 80 South Eighth Street  
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- 20 Stephen S. Melnikoff, Esq  
Regulatory Law Office
- 21 U. S. Army Litigation Center
- 22 901 North Stuart Street, Suite 700  
Arlington, Virginia 22203
  
- 23 Harry Gildea  
Snaveley King Majoros O'Connor & Bedell,  
24 Inc.
- 25 1111 14<sup>th</sup> Street, N.W., Suite 300  
Washington, , D.C. 20005
  
- 26 Michel Singer Nelson  
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- 27 370 Interlocken Blvd, Suite 600  
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Deborah Kuhn  
Assistant General Counsel  
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205 North Michigan Avenue, 7<sup>th</sup> Floor  
Chicago, Illinois 60601

By 

1 **Arizona Corporation Commission**

2 In the matter of Joint Notice and Application )  
3 of )

4 Qwest Corporation et al )

CASE # T01051B100194

SBA App #1005616

5 ) **NOTICE OF RECEIPT OF COMPLETE APPLICATION**

6 \_\_\_\_\_  
7 NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has received the verified application and fee from Gregory Merz.

8 In addition to this application, applicant has made the following applications to appear pro hac vice, pursuant to Rule38 (a), within the previous three (3) years:

9

Title of Matter	Court/Agency	Date	Granted?
10 Eschelon Telecom of Arizona v Qwest Corporation	Arizona Corporation Commission	7/21/2006	Y
11 ~CLOSED~			
12 Complaint of Eschelon Telecom Of Arizona Inc v Against Qwest Corporation	Arizona Corporation Commission	7/21/2006	Y

13  
14 Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of Good Standing are attached hereto.

15 DATED this 16<sup>th</sup> day of July 2010

16  
17   
18 \_\_\_\_\_  
19 Mirna Lerma  
20 Resource Center  
21 State Bar of Arizona

22 Original Mailed on this 16<sup>th</sup> day of July 2010 to:

23 Michael W Patten  
24 Roshka DeWulf & Patten PLC  
25 400 E Van Buren Suite 800  
One Arizona Center  
Phoenix, AZ 85004-2262



For Official Use Only  
App# 100520110  
Bar Number# P1100723

Attn: Pro Hac Vice Dept  
PO Box 53099  
Phoenix, AZ 85072-3099  
Phone: 602-340-7239

Application for Appearance Pro Hac Vice

PART I: Applicant Information

Name of Applicant: Gregory Merz

Firm/Company Name: Gray, Plant, Mooty

Office Address: 500 IDS Center, 80 South Eighth Street, Minneapolis, MN 55402

Telephone: (612) 632-3257 Fax: (612) 632-4257 Email Address: Gregory.merz@gpmlaw.com

Residence Address: 3830 Girard Avenue N., Minneapolis, MN 55412

Title of cause or case where applicant seeks to appear: Joint Notice and Application of Qwest Corporation, Qwest Communications Company, LLC, Qwest LD Corp, Embarq Communications, Inc. dba Century Link Communications, Embarq Payphone Services, Inc. dba Century Link and CenturyLink Solutions, LLC for Approval of the Proposed Merger of their Parent Corporations Qwest Communications International Inc. and CenturyTel, Inc.

Docket Number: 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

Court, Board, or Administrative Agency: Arizona Corporation Commission

Party on whose behalf applicant seeks to appear: Integra Telecom

Pursuant to Arizona Supreme Court Rule 38(i)(3), the applicant shall complete the information below:

Table with 3 columns: Courts to Which Applicant Has Been Admitted, Date of Admission, Bar Number. Row 1: Please see attachment.

Applicant is a member in good standing in such courts.

Applicant is not currently disbarred or suspended in any court.

Applicant is / is not (select one) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

In the preceding three (3) years, applicant has filed applications to appear as counsel under AZ ST S.Ct., Rule 38(a) in the following:

Table with 4 columns: Title of Matter, Docket #, Court or Agency, App Granted? (Y/N). Row 1: Please see attachment.

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By 1837F

Handwritten initials

This case or cause  is /  is not (select one) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, Applicant certifies that he/she will review and comply with appropriate rules of procedure as required in the underlying cause.

If applicable, please provide related or consolidated matter application or docket# \_\_\_\_\_

**PART II: Local Counsel Information**

Name of Arizona Local Counsel: Michael W. Patten

State Bar of Arizona Number: 009796

Address: One Arizona Center, 400 East Van Buren, Suite 800, Phoenix, Arizona 85004

Telephone: (602) 256-6100 Fax: (602) 256-6800 Email Address: mpatten@rdp-law.com

- Local Counsel is a member in good standing.
- Local Counsel associating with a nonresident attorney in a particular cause shall accept joint responsibility with the nonresident attorney to the client, to opposing parties and counsel, and to court, board, or administrative agency in that particular cause.

**PART III: Parties and Certification**

Name(s) of each party in this cause and name and address of all counsel of record:

Party:	Counsel of Record:	Address:
<u>See Attachment</u>	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$460.00. Fifteen percent of the non-refundable application fee paid pursuant to this section shall be deposited into a civil legal services fund to be distributed by the Arizona Foundation for Legal Services and Education entirely to approved legal services organizations, as that term is defined in subparagraph (f) of this rule.

Applicant is furnishing a certificate from the state bar or from the clerk of the highest admitting court of each state, territory, or insular possession of the United States in which the nonresident attorney has been admitted to practice law certifying the nonresident attorney's date of admission to such jurisdiction and the current status of the nonresident attorney's membership or eligibility to practice therein. The certificate furnished shall be no more than forty-five (45) days old.

Applicant certifies the following:

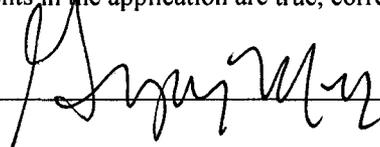
1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Rule 46(b) Rules of the Supreme Court.
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

**Verification**

STATE OF Minnesota )  
County of Hennepin ) ss.

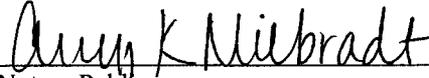
I, Gregory R. Merz, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

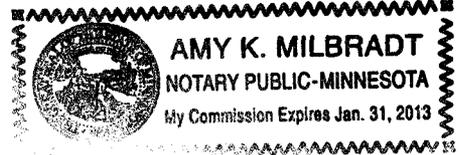
Dated: 7/6/10

Applicant's Signature: 

SUBSCRIBED AND SWORN TO before me this 6<sup>th</sup> day of July, 2010, by

Gregory R. Merz  
Name of Applicant

  
Notary Public



## LIST OF COUNSEL OF RECORD

Norman Curtright  
Qwest Corporation  
20 East Thomas Road, 16<sup>th</sup> Floor  
Phoenix, Arizona 85012  
Attorney For Qwest Corporation

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Broomfield, Colorado 80021

Penny Stanley  
360networks (USA), Inc.  
370 Interlocken Blvd, Suite 600  
Broomfield, Colorado 80021

I am a member in good standing and eligible to practice before the following courts:

Title of Court	Date Admitted
Minnesota State Court (MN Attorney Registration No. 185942)	October 16, 1987
U.S. District Court, District of Minnesota	February 22, 1988
8 <sup>th</sup> Circuit Court of Appeals	1991
U.S. Court of Appeals 5 <sup>th</sup> Circuit	February 13, 2002
U.S. Supreme Court	December 8, 2003

GP:2712154 v1

**Matter:**

In the Matter of the Complaint of Eschelon Telecom of Arizona, Inc. Against Qwest Corporation

**Docket No.:**

T-03406A-06-0257, T01051B-0257

**Court or Agency:**

Arizona Corporation Commission

**App Granted? (Y/N)**

Yes

**Matter:**

Petition of Eschelon Telecom of Arizona, Inc. for Arbitration of Intercarrier Negotiations with Qwest Corporation under the Telecommunications Act of 1996

**Docket No.:**

T-03406A-06-0572

T-01051B-06-0572

**Court or Agency:**

Arizona Corporation Commission

**App Granted? (Y/N)**

Yes

**STATE OF MINNESOTA  
IN SUPREME COURT**

*Certificate of Good Standing*

This is to certify that the following lawyer is in good standing.

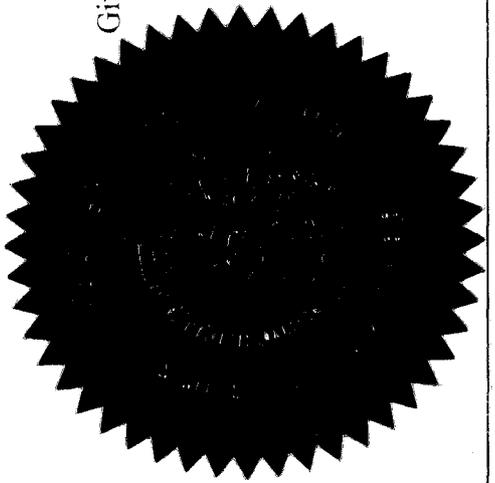
GREGORY RONALD MERZ

was duly admitted to practice as a lawyer and counselor at law in all the courts of this state on

October 16, 1987

Given under my hand and seal of this court on

June 30, 2010



*Frederick K. Grittner*

Frederick K. Grittner  
Clerk of Appellate Courts