

ORIGINAL



0000115929

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

RECEIVED

2010 AUG 27 A 11: 21

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

AUG 27 2010

DOCKETED BY [Signature]

IN THE MATTER OF:

GEORGE BEIN-WILLNER, for
GLENDALE & 27TH INVESTMENTS, LLC

COMPLAINANT,

v.

QWEST CORPORATION,

RESPONDENT.

DOCKET NO. T-01051B-10-0200

PROCEDURAL ORDER

BY THE COMMISSION:

On May 17, 2010, George Bein-Willner, for Glendale & 27th Investments, LLC ("Complainant") filed with the Arizona Corporation Commission ("Commission") a formal complaint ("Complaint") against Qwest Corporation ("Qwest"). The Complaint alleges that Qwest has incorrectly billed Complainant, who owns and operates Sterling International Hotel, for a 1-800 line that should have terminated in 2004. Complainant requests relief in the amount of approximately \$10,000.

On June 10, 2010, Qwest filed an Answer to the Complaint, denying the allegations alleged in the Complaint. Qwest's Answer states that as a gesture of goodwill, and not as an admission of liability, Qwest provided Complainant a back credit to July 2009 and Qwest requests that the Commission dismiss the Complaint.

On August 16, 2010, a Procedural Order was issued scheduling a procedural conference for September 8, 2010 and Qwest's request to dismiss the Complaint was denied.

On August 20, 2010, Complainant filed a letter requesting that the procedural conference scheduled for September 8, 2010, be rescheduled for early October, due to a conflict in

1 Complainant's business schedule.

2 On August 26, 2010, Qwest filed a response to Complainant's request for a continuance of the
3 procedural conference. Qwest states that it has no objection to the continuance and requests to appear
4 telephonically if the newly scheduled date conflicts with scheduled travel.

5 Accordingly, the procedural conference scheduled for September 8, 2010 should be
6 continued.

7 IT IS THEREFORE ORDERED that the **Procedural Conference** currently scheduled on
8 September 8, 2010, is **hereby continued to October 7, 2010, at 10:00 a.m.** or as soon thereafter as
9 is practicable, at the Commission's offices, 2nd Floor Conference Room, 1200 West Washington
10 Street, Phoenix, Arizona 85007.

11 IT IS FURTHER ORDERED that Qwest's request to appear telephonically for the procedural
12 conference, if needed, is hereby granted.

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

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

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

24 ...
25 ...
26 ...
27 ...
28 ...

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

4 DATED this 27th day of August, 2010.

5
6 
7 YVETTE B. KINSEY
8 ADMINISTRATIVE LAW JUDGE
9

10 Copies of the foregoing mailed/delivered
this 27th day of August, 2010, to:

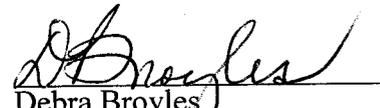
11 George Bein-Willner
12 GLENDALE & 27TH INVESTMENTS, LLC
13 3641 North 39th Avenue
Phoenix, AZ 85004

14 Norman Curtright
15 QWEST CORPORATION
20 East Thomas Road
Phoenix, AZ 85012

16 Janice Alward, Chief Counsel
17 Legal Division
ARIZONA CORPORATION COMMISSION
18 1200 West Washington Street
Phoenix, AZ 85007

19 Steve Olea, Director
20 Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
21 Phoenix, AZ 85007

22 ARIZONA REPORTING SERVICE, INC.
23 2200 North Central Avenue, Suite 502
Phoenix, AZ 85004-1481

24
25 By: 
26 Debra Broyles
Secretary to Yvette B. Kinsey
27
28