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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

DOCKETED

2011 SEP 19 P 2:21

GARY PIERCE - Chairman  
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SANDRA D. KENNEDY  
PAUL NEWMAN  
BRENDA BURNS

SEP 19 2011

AZ CORP COMMISSION  
DOCKET CONTROL

DOCKETED BY  
*[Signature]*

IN THE MATTER OF THE APPLICATION OF  
TDS LONG DISTANCE CORPORATION FOR  
APPROVAL OF A CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO  
PROVIDE RESOLD LONG DISTANCE AND  
FACILITIES-BASED LONG DISTANCE  
TELECOMMUNICATIONS SERVICES.

DOCKET NO. T-03886A-10-0069

**PROCEDURAL ORDER GRANTING  
REQUEST FOR WITNESS TO  
APPEAR TELEPHONICALLY AND  
EXTENDING DEADLINE**

**BY THE COMMISSION:**

On February 25, 2010, TDS Long Distance Corporation ("TDS" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for approval of a Certificate of Convenience and Necessity ("CC&N") to provide facilities-based long distance, resold long distance, and intraLATA and interLATA private line telecommunication services in Arizona. TDS' application also seeks a determination that its proposed services are competitive in Arizona.

On October 13, 2010, TDS filed copies of financial statements for its parent company, Telephone & Data Systems, Inc.

On July 1, 2011, the Commission's Utilities Division ("Staff") filed a Staff Report recommending approval of TDS' application, subject to certain conditions.

On August 1, 2011, by Procedural Order, the matter was scheduled for hearing on October 4, 2011.

On September 1, 2011, Jeffrey W. Crocket of Brownstein Hyatt Farber Schreck, LLP filed a Notice of Appearance on behalf of the Company.

On the same date, TDS filed a request to extend the deadline for filing its affidavit of publication and to change the hearing date, or alternatively, to be granted leave for TDS' witness to

1 appear telephonically. The request states that TDS has completed publication of notice; however, the  
2 affidavits will not be available until September 15, 2011, which is after to the deadline ordered in the  
3 August 1, 2011, Procedural Order. Further, the request states that TDS' witness will be traveling and  
4 unavailable to personally appear for the currently scheduled hearing date and TDS requests that the  
5 hearing date be changed from October 4, 2011, to October 16, 2011. Alternatively, TDS requests that  
6 if the hearing date remains as scheduled that its witness be allowed to appear telephonically.

7 On September 7, 2011, Staff filed a response to TDS' request, stating that Staff has no  
8 objection to either of TDS' proposed alternatives.

9 On September 14, 2011, TDS filed a Withdrawal of Request to Change the Hearing Date.  
10 TDS' filing states that TDS continues to request that its witness appear telephonically for the hearing  
11 scheduled for October 4, 2011, but that TDS withdraws its request for a change in the hearing date.  
12 Further, TDS continues to request an extension of time, until September 21, 2011, to file an affidavit  
13 of publication.

14 TDS' request for its witness to appear telephonically and for an extension of time, until  
15 September 21, 2011, to file an affidavit of publication is reasonable and should be granted.

16 **IT IS THEREFORE ORDERED that TDS' request for its witness to appear telephonically**  
17 **for the hearing scheduled for October 4, 2011, is hereby granted.**

18 **IT IS FURTHER ORDERED that TDS shall contact the Hearing Division two days prior**  
19 **to the hearing date,** at (602) 542-4250, to make arrangements for its witness to appear  
20 telephonically.

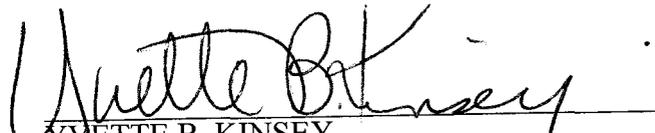
21 **IT IS FURTHER ORDERED that TDS' request for an extension of time, until September**  
22 **21, 2011, to file an affidavit of publication, is hereby granted.**

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

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

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

6 Dated this 19<sup>th</sup> day of September, 2011.

7  
8   
9 YVETTE B. KINSEY  
10 ADMINISTRATIVE LAW JUDGE

11 Copies of the foregoing mailed/emailed  
12 this 19<sup>th</sup> day of September, 2011 to:

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