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BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

COMMISSIONERS

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

2012 APR 19 P 12: 50

AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF QWEST CORPORATION D/B/A CENTURLINK- QC ("CENTURLINK") TO CLASSIFY AND REGULATE RETAIL LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES AS COMPETITIVE AND TO CLASSIFY AND DEREGULATE CERTAIN SERVICES AS NON-ESSENTIAL.

DOCKET NO. T-01051B-11-0378

MOTION AND CONSENT OF LOCAL COUNSEL FOR *PRO HAC VICE* ADMISSION OF STEPHEN S. MELNIKOFF

Daniel D. Haws (Arizona State Bar No. 013019), pursuant to Rule 38(a), Ariz. R. Sup. Ct., moves the Arizona Corporation Commission to admit Stephen S. Melnikoff as counsel *pro hac vice* in this proceeding. In support of this motion and pursuant to Rule 38(a)(3)(C), the following original documents are attached:

1. Verified Application to Appear *Pro Hac Vice*;
2. Certificates of Good Standing; and
3. State Bar of Arizona Notice of Receipt of Complete Application.

The filing fee as required by Rule 33(d) has been submitted to the State Bar of Arizona. Daniel D. Haws hereby agrees to serve as designated local counsel of the above-captioned docket.

Arizona Corporation Commission  
**DOCKETED**

APR 19 2012

DOCKETED BY	
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A proposed order granting this motion is attached for the Commission's convenience.

Respectfully submitted,



Daniel D. Haws II

OSJA

ATTN: ATZS-JAD

USA Intelligence Center & Fort Huachuca

Fort Huachuca, Arizona 85613-6000

Dated: April 18, 2012

Original and thirteen (13) copies of the foregoing was caused to be sent by Overnight Express Mail this 18<sup>th</sup> day of April 2012 to:

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

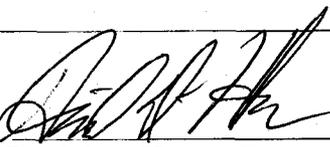
Copy of the foregoing was caused to be sent by pre-paid First Class Mail USPS this 18<sup>th</sup> day of April 2012 to:

Honorable Jane L. Rodda, Esq. Administrative Law Judge Hearing Division Arizona Corporation Commission 1200 West Washington Phoenix, Arizona 85007	C	
Honorable Jane L. Rodda, Esq. Administrative Law Judge Hearing Division Arizona Corporation Commission 400 West Congress Street Tucson, Arizona 85701	C	
Lyn Farmer		

Arizona Corporation Commission 1200 W. Washington Phoenix, Arizona 85007-2927		
Janice Alward, Chief Counsel Maureen A. Scott, Senior Staff Counsel Kimberly Ruht, Staff Attorney Legal Division ARIZONA CORPORATION COMMISSION 1200 West Washington Street Phoenix, Arizona 85007	C C	Steven M. Olea, Director Utilities Division ARIZONA CORPORATION COMMISSION 1200 West Washington Street Phoenix, Arizona 85007
Daniel W. Pozefsky, Esq. Chief Counsel RESIDENTIAL UTILITY CONSUMER OFFICE 1110 West Washington, Suite 220 Phoenix, AZ 85007	C	Norman G. Curtright QWEST CORPORATION d/b/a CENTURYLINK QC 20 East Thomas Road, 16 <sup>th</sup> Floor Phoenix, AZ 85012
Michael Patton, Esq. ROSHKA DEWULF & PATTEN, PLC One Arizona Center 400 East Van Buren, Suite 800 Phoenix, AZ 85004		Mark A. DiNunzio, Esq. COX ARIZONA TELCOM, LLC MV DV3-16, Bldg C Phoenix, AZ 85027
Thomas Campbell Michael Hallum Lewis and Roca, LLP 40 N. Central Ave. - 1900 Phoenix, Arizona 85004-4429		Joan S. Burke, Esq. LAW OFFICE OF JOAN S. BURKE 1650 North First Avenue Phoenix, AZ 85003
Martin Aronson Morrill & Aronson, PLC One East Camelback Road Ste 340 Phoenix, Arizona 85012-1648		Michael Grant Gallagher & Kennedy, PA 2575 E. Camelback Rd. Phoenix, Arizona 85016-9225
Albert Sterman 2849 East 8th Street Tucson, Arizona 85716		Brian Thomas tw telecom of arizona llc 233 Taylor Ave. North Seattle, Washington 98109
August H. Ankum 1520 Spruce Street, Suite 306 Philadelphia, PA 19102	C	Gary Yaquinto Arizona Utility Investors Association 2100 North Central Avenue, Suite 210 Phoenix, Arizona 85004
Patrick L. Phipps	C	Stephen S. Melnikoff

3504 Sundance Dr.  
Springfield, IL 62711

General Attorney  
Regulatory Law Office (JALS-RL/IP)  
U. S. Army Legal Services Agency  
9275 Gunston Road  
Fort Belvoir, VA 22060-5546

By: 

Daniel D. Haws 

(3/15/2012)



DEPARTMENT OF THE ARMY  
UNITED STATES ARMY LEGAL SERVICES AGENCY  
9275 GUNSTON RD  
FORT BELVOIR, VA 22060-5546  
April 18, 2012

REPLY TO  
ATTENTION OF

Regulatory Law Office  
U 4208

**VIA OVERNIGHT EXPRESS MAIL**

Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

Subject: **Motion and Consent of Local Counsel for *Pro Hac Vice* Admission of  
Stephen S. Melnikoff**

In Re: ACC Docket No. T-01051B-11-0378 – In the Matter of the Application of  
Qwest Corporation d/b/a CenturyLink QC (“CenturyLink”) to Classify and  
Regulate Retail Local Exchange Telecommunications Services as Competitive  
and to Classify and Deregulate Certain Services as Non-Essential.

To The Honorable Commission:

Enclosed for filing in the above-captioned proceeding is the Motion and Consent of Local  
Counsel for *Pro Hac Vice* Admission of Stephen S. Melnikoff. A Certificate of Service is  
appended to this filing.

Copies of this document are being sent in accord with the Certificate of Service.  
Inquiries to this office regarding this proceeding should be directed to the undersigned at  
(703) 696-1643.

Thank you for your cooperation and assistance in this matter.

Sincerely,

Stephen S. Melnikoff  
General Attorney  
Regulatory Law Office (JALS-RL/IP)  
Office of the Judge Advocate General  
U. S. Army Legal Services Agency  
9275 Gunston Road  
Fort Belvoir, VA 22060-5546  
(703) 614-3918

Enclosure  
CF: See Certificate of Service



For Official Use Only  
App# 1006742  
Bar Number# 0177016

Attn: Pro Hac Vice Dept  
4201 N. 24<sup>th</sup> St., Ste 200  
Phoenix, AZ 85016-6288  
Phone: 602-340-7239

**Application for Appearance Pro Hac Vice**

**PART I: Applicant Information**

Name of Applicant: STEPHEN S. MELNIKOFF  
Firm/Company Name: U.S. ARMY LEGAL SERVICES AGENCY (JALS-RL/IP)  
Office Address: 9275 Gunston Road Fort Belvoir, VA 22060-5546  
Telephone: (703) 614-3918 Fax: (703) 806-0123 Email Address: stephen.s.melnikoff.civ@mail.mil  
Residence Address: 4003 NORTH GLEBE ROAD, ARLINGTON, VA 22207  
Title of cause or case where applicant seeks to appear: SEE SEPARATE SHEET--ITEM #1  
Docket Number: DOCKET NO. T-01051B-11-0378  
Court, Board, or Administrative Agency: ARIZONA CORPORATION COMMISSION  
Party on whose behalf applicant seeks to appear: THE U.S. DEPARTMENT OF DEFENSE AND ALL OTHER FEDERAL EXECUTIVE AGENCIES

**Pursuant to Arizona Supreme Court Rule 38(a)(4), the applicant shall complete the information below:**

Courts to Which Applicant Has Been Admitted: <small>(Attach additional pages if necessary)</small>	Date of Admission:	Bar Number:
<u>COURT OF APPEALS OF MARYLAND (INACTIVE)</u>	<u>DECEMBER 13, 1973</u>	<u>NOT APPLICABLE</u>
<u>DISTRICT OF COLUMBIA COURT OF APPEALS</u>	<u>OCTOBER 7, 1975</u>	<u>#219204</u>
_____	_____	_____
_____	_____	_____

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 Ariz. R. Sup. Ct., Rule 38(a) in the following:

Title of Matter:	Docket #:	Court or Agency:	App Granted? (Y/N)
<u>SEE SEPARATE SHEET--ITEM #2</u>	<u>#2</u>	<u>Arizona Corporation Commission</u>	<u>Y</u>
_____	_____	_____	_____
_____	_____	_____	_____

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# \_\_\_\_\_

**DEPOSITED**

**MAR 26 2012**

013019 HAWS/Melnikoff

CR 665 #460.

**PART II: Local Counsel Information**

Name of Arizona Local Counsel: Daniel D. Haws

State Bar of Arizona Number: 013019

Address: OSJA Attn: ATZS-JAD USA Intelligence Center & Fort Huachuca Fort Huachuca, AZ 85613-6000

Telephone: (520) 533-0623 Fax: (520) 533-1113 Email Address: daniel.d.haws.civ@mail.mil

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 ATTACHED SERVICE LIST]</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 Ariz. R. Sup. Ct. Rule 46(b).
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 VIRGINIA  
County of FAIRFAX ss.

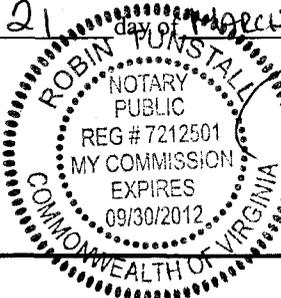
I, Robin Tunstall, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

Dated: March 21, 2012

Applicant's Signature: [Signature]

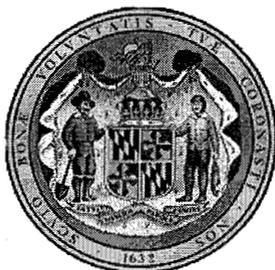
SUBSCRIBED AND SWORN TO before me this 21 day of March, 2012, by

STEPHEN S. MELNIKOFF  
Name of Applicant



[Signature]  
Notary Public

**Court of Appeals  
of Maryland**  
Annapolis, MD



***CERTIFICATE OF GOOD STANDING***

*STATE OF MARYLAND, ss:*

*I, Bessie M. Decker, Clerk of the Court of Appeals of Maryland,  
do hereby certify that on the thirteenth day of December, 1973,*

**Stephen Sidney Melnikoff**

*having first taken and subscribed the oath prescribed by the Constitution and  
Laws of this State, was admitted as an attorney of said Court, is now in good  
standing, and as such is entitled to practice law in any of the Courts of said  
State, subject to the Rules of Court.*

**In Testimony Whereof,** *I have hereunto  
set my hand as Clerk, and affixed the Seal  
of the Court of Appeals of Maryland, this  
first day of March, 2012.*

*Bessie M. Decker*

*Clerk of the Court of Appeals of Maryland*



District of Columbia Court of Appeals  
Committee on Admissions  
430 F Street, N.W. — Room 123  
Washington, D. C. 20001  
202 / 879-2710

I, JULIO A. CASTILLO, Clerk of the District of Columbia Court of Appeals, do hereby certify that

STEPHEN S. MELNIKOFF

was on the 9<sup>TH</sup> day of OCTOBER, 1975

duly qualified and admitted as an attorney and counselor entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on February 29, 2012.

JULIO A. CASTILLO  
Clerk of the Court

By:   
Deputy Clerk

1 **Arizona Corporation Commission**

2 In the Matter of the application of Qwest )  
3 Corp D/B/A CenturyLink )  
4 To classify & regulate retail local exchange )  
5 telecommunications services )  
6 as competitive & to classify & deregulate )  
7 certain services as non essential, )  
8 Plaintiff )  
9 )

CASE # T01051B110378

SBA App #1006742

**NOTICE OF RECEIPT OF  
COMPLETE APPLICATION**

10 v.

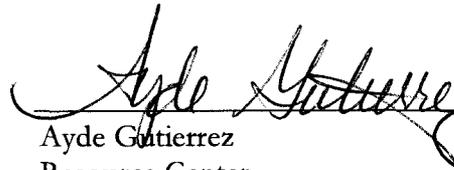
11  
12  
13  
14 NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has received the  
15 verified application and fee from Stephen Melnikoff.

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

Title of Matter	Court/Agency	Date	Granted?
In the Matter of Joint Application of Qwest et al v ~CLOSED~	Arizona Corporation Commission	11/4/2010	Y

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

20 DATED this 2<sup>nd</sup> day of April 2012

21  
22 

Ayde Gutierrez  
Resource Center  
State Bar of Arizona

23 Original Mailed on this 2<sup>nd</sup> day of April 2012 to:

Daniel D Haws  
SJA ATTIN ATZS-JAD  
Fort Huachuca, AZ 85613-6000

BEFORE THE ARIZONA CORPORATION COMMISSION

**COMMISSIONERS**

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

IN THE MATTER OF THE APPLICATION OF  
QWEST CORPORATION D/B/A  
CENTURYLINK- QC ("CENTURYLINK") TO  
CLASSIFY AND REGULATE RETAIL LOCAL  
EXCHANGE TELECOMMUNICATIONS  
SERVICES AS COMPETITIVE AND TO  
CLASSIFY AND DEREGULATE CERTAIN  
SERVICES AS NON-ESSENTIAL.

DOCKET NO. T-01051B-11-0378

**PROCEDURAL ORDER**  
**GRANTING ADMISSION**  
*PRO HAC VICE*

**BY THE COMMISSION:**

Based upon the Motion for *Pro Hac Vice* Admission of Stephen S. Melnikoff and  
the consent to appear as local counsel by Daniel D. Haws,

IT IS THEREFORE ORDERED that Stephen S. Melnikoff be admitted *pro hac*  
*vice* as counsel for the U.S. Department of Defense and All Other Federal Executive  
Agencies in the above-captioned matter.

DATED the      day of April 2012.

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Jane L. Rodda  
Administrative Law Judge

Copies of the foregoing mailed  
this      day of April 2012 to:

<p>Janice Alward, Chief Counsel  Maureen A. Scott, Senior Staff Counsel  Kimberly Ruht, Staff Attorney  Legal Division  ARIZONA CORPORATION COMMISSION  1200 West Washington Street  Phoenix, Arizona 85007</p>	<p>Steven M. Olea, Director  Utilities Division  ARIZONA CORPORATION COMMISSION  1200 West Washington Street  Phoenix, Arizona 85007</p>
<p>Daniel W. Pozefsky, Esq.  Chief Counsel  RESIDENTIAL UTILITY CONSUMER  OFFICE  1110 West Washington, Suite 220  Phoenix, AZ 85007</p>	<p>Norman G. Curtright  QWEST CORPORATION d/b/a  CENTURYLINK QC  20 East Thomas Road, 16<sup>th</sup> Floor  Phoenix, AZ 85012</p>
<p>Michael Patton, Esq.  ROSHKA DEWULF &amp; PATTEN, PLC  One Arizona Center  400 East Van Buren, Suite 800  Phoenix, AZ 85004</p>	<p>Mark A. DiNunzio, Esq.  COX ARIZONA TELCOM, LLC  MV DV3-16, Bldg C  Phoenix, AZ 85027</p>
<p>Thomas Campbell  Michael Hallum  Lewis and Roca, LLP  40 N. Central Ave. - 1900  Phoenix, Arizona 85004-4429</p>	<p>Joan S. Burke, Esq.  LAW OFFICE OF JOAN S. BURKE  1650 North First Avenue  Phoenix, AZ 85003</p>
<p>Martin Aronson  Morrill &amp; Aronson, PLC  One East Camelback Road Ste 340  Phoenix, Arizona 85012-1648</p>	<p>Michael Grant  Gallagher &amp; Kennedy, PA  2575 E. Camelback Rd.  Phoenix, Arizona 85016-9225</p>
<p>Albert Sterman  2849 East 8th Street  Tucson, Arizona 85716</p>	<p>Brian Thomas  tw telecom of arizona llc  233 Taylor Ave. North  Seattle, Washington 98109</p>
<p>Lyn Farmer  Arizona Corporation Commission  1200 W. Washington  Phoenix, Arizona 85007-2927</p>	<p>Stephen S. Melnikoff  General Attorney  Regulatory Law Office (JALS-RL/IP)  U. S. Army Legal Services Agency  9275 Gunston Road  Fort Belvoir, VA 22060-5546</p>

<p>August H. Ankum, Ph.D.  1520 Spruce Street, Suite 306  Philadelphia, PA 19102</p>	<p>Gary Yaquinto  Arizona Utility Investors Association  2100 North Central Avenue, Suite 210  Phoenix, Arizona 85004</p>
<p>Patrick L. Phipps  3504 Sundance Dr.  Springfield, IL 62711</p>	<p>C Daniel D. Haws  OSJA  ATTN: ATZS-JAD  USA Intelligence Center &amp; Fort Huachuca  Fort Huachuca, Arizona 85613-6000</p>

By: \_\_\_\_\_