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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

DOCKETED

JAN 3 2012

DOCKETED BY [Signature]

COMMISSIONERS

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

2012 JAN -3 P 2:00

AZ CORP COMMISSION
DOCKET CONTROL

PAC-WEST TELECOMM, INC.,
Complainant,

vs.

QWEST CORPORATION,
Respondent.

DOCKET NO. T-01051B-05-0495
DOCKET NO. T-03693A-05-0495

LEVEL 3 COMMUNICATIONS, LLC,
Complainant,

vs.

QWEST CORPORATION,
Respondent.

DOCKET NO. T-03654A-05-0415
DOCKET NO. T-01051B-05-0415

PROCEDURAL ORDER

BY THE COMMISSION:

On December 16, 2011, Joan Burke, counsel for Pac-West Telecomm, Inc. ("Pac-West") filed a Request to Withdraw as Counsel ("Request").

The Request states that Pac-West announced its merger with UniPoint Holdings Corp. on September 7, 2011. Pac-West's counsel of record in this docket reports that she attempted to reach Pac-West concerning representation and/or her plan to withdraw as local counsel, and after several months was finally able to reach Pac-West by telephone on December 15, 2011. She stated that she notified the Company of her intent to withdraw. Although the Request does not explicitly indicate Pac-West's consent to the withdrawal, Ms. Burke indicates that in the event the request is granted, Pac-West has asked that all filing, pleadings, orders and notices should henceforth be served upon:

1 Jen Olson
2 Pac-West
3 4210 Coronado Avenue
4 Stockton, CA 95204
5 jolson@pacest.com

6 Rule 42, (ER 1.16) of the Rules of the Arizona Supreme Court allows a lawyer to withdraw
7 from representing a client if, *inter alia*, withdrawal can be accomplished without material adverse
8 effect on the client. Commission Rule R14-3-104(E) permits withdrawal of an attorney upon written
9 application and good cause shown after notice and upon the direction of the presiding officer.

10 Pac-West must comply with Rules 31 and 38 of the Rules of the Arizona Supreme Court and
11 A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*. Heretofore, Ms.
12 Burke has represented Pac-West in this matter since 2005, but with her withdrawal as local counsel it
13 is unclear how Pac-West would be in compliance with the Rules governing practice before the
14 Commission in this pending matter.

15 IT IS THEREFORE ORDERED that the Request will be taken under advisement pending
16 Pac-West's demonstration of its compliance with Rules 31 and 38 of the Rules of the Arizona
17 Supreme Court and A.R.S. § 40-243.

18 IT IS FURTHER ORDERED that **Pac-West shall file** an indication of how it will comply
19 with the aforementioned Rules in light of the Request to Withdraw by **February 1, 2012**.

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

22 Dated this 30th day of December, 2011

23 
JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

24 Copies of the foregoing mailed/delivered
25 this 30th day of December, 2011 to:

26 Norman Curtright
27 Qwest Corporation
28 20 E. Thomas Road, 16th Floor
Phoenix, AZ 85012

Tom Dethlefs
1801 California Street, 10th Floor
Denver, CO 80202-2658

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2 Phoenix, Arizona 85003
Attorney for Pac-West
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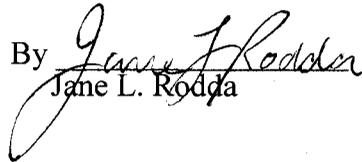
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11 By 
Jane L. Rodda
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