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MEMORANDUM

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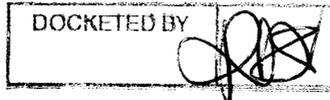
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TO: Docket Control

FROM: Steven M. Olea  
Director  
Utilities Division

EA for SMD  
FEB 17 2012

AZ CORP COMMISSION  
DOCKET CONTROL



DATE: February 17, 2012

RE: **STAFF RESPONSE TO DECEMBER 16, 2011 PROCEDURAL ORDER - IN THE MATTER OF THE APPLICATION OF MIDVALE TELEPHONE EXCHANGE INC. FOR APPROVAL OF AN AMENDMENT TO ITS EXTENSION OF THEIR CERTIFICATE OF CONVENIENCE AND NECESSITY (DOCKET NO. T-02532A-08-0542)**

On December 16, 2011, the Administrative Law Judge issued a Procedural Order which ordered Midvale Telephone Exchange, Inc. ("Midvale") and Qwest Corporation dba CenturyLink-QC ("Qwest") to file documents stating their respective positions on this matter and provide proposals on how this matter should proceed by January 17, 2012. Staff was ordered to file a document responding to Midvale's and Qwest's filings and recommend how to proceed in this matter.

On January 17, 2012, Qwest filed its response to the Procedural Order. Qwest states that it consents to the transfer of the extension area to Midvale and continues to support the proposed transfer of territory as set forth by Midvale in its Second Amended Application, as amended by the amended Attachment C filed on December 15, 2010. Qwest proposes this proceeding move forward in same manner as similar types of proceedings in which Staff issues its recommendation in the form of a Staff Report and a brief hearing would then be held following notice to affected customers.

On January 30, 2012, Midvale filed its response to the Procedural Order. Midvale states it continues to seek transfer of the territory as set forth in its Second Amended Application, as amended by the amended Attachment C filed on December 15, 2010. Midvale states that its application remains unopposed by Qwest. Midvale proposes that the matter move forward as have past applications of this sort, with Staff issuing its recommendations in the form of a Staff Report, Midvale providing notice to affected customers and a short hearing. Midvale further states that it would not object to the matter proceeding to Open Meeting without a hearing.

Staff reviewed the responses filed by Qwest and Midvale and agrees that the matter should proceed. However, Midvale has not yet responded to Staff's Second Letter of Insufficiency and Second Data Request. In order to move forward, Staff recommends Midvale file its response to this and all future Staff Data Requests in this docket in an expeditious manner to order to allow Staff to make a sufficiency finding and complete its analysis in this matter.

Staff agrees with Qwest's procedural recommendations as set forth in its January 17, 2012 comments.

SMO:LLM:kdh

Originator: Lori Morrison

SERVICE LIST FOR: Midvale Telephone Exchange, Inc.  
DOCKET NO.: T-02532A-08-0542

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