

INTERVENTION  
ORIGINAL



0000135045

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

COMMISSIONERS

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

2012 MAR - 9 P 12: 18

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

MAR - 9 2012

DOCKETED BY

IN THE MATTER OF VIRGIN MOBILE USA,  
L.P.'S BRANDED "ASSURANCE WIRELESS  
BROUGHT TO YOU BY VIRGIN MOBILE"  
APPLICATION FOR DESIGNATION AS A  
WIRELESS ELIGIBLE  
TELECOMMUNICATIONS CARRIER IN THE  
STATE OF ARIZONA (LOW INCOME ONLY).

DOCKET NO. T-20827A-11-0461

**MOTION TO INTERVENE**

1 Pursuant to A.A.C. R14-3-105, the Arizona Local Exchange Carriers Association  
2 ("ALECA") hereby moves to intervene in the above-captioned case.

3 **I Service**

4 Please serve all documents on:

5 Craig A. Marks  
6 Craig A. Marks, PLC  
7 10645 N. Tatum Blvd., Ste. 200-676  
8 Phoenix, Arizona 85028  
9 (480) 367-1956 (Direct)  
10 (480) 367-1956 (Fax)  
11 [Craig.Marks@azbar.org](mailto:Craig.Marks@azbar.org)  
12 Attorney for ALECA

13 **II Interest in Proceeding**

14 ALECA is comprised of small telephone companies and member-owned cooperatives,  
15 all of which are providing local exchange telecommunications services to customers in rural,  
16 high cost areas of Arizona, and all of which are "rural telephone companies" as defined by the  
17 Communications Act of 1934, as amended (the "Act") 47 U.S.C. 0 153(37). ALECA's members  
18 are:

- 19 • Fort Mojave Telephone Company;  
20 • Frontier Communications Corporation;

- 1 • Gila River Telecommunications, Inc.;
- 2 • Hopi Telecommunications, Inc.;
- 3 • Midvale Telephone Exchange, Inc.;
- 4 • San Carlos Apache Telecommunications Utility, Inc.;
- 5 • South Central Communications;
- 6 • Table Top Telephone Company, Inc;
- 7 • TDS;
- 8 • Tohono O'odham Utility Authority; and
- 9 • Valley Telephone Cooperative; and
- 10 • Zona Communications.<sup>1</sup>

11 Each ALECA member, including its Tribally-owned members, receives support from the  
12 Federal Universal Service Fund ("FUSF") in the form of High Cost Support. Each also provides  
13 discounted Lifeline telephone service and receives compensation for the discounts from the  
14 FUSF. Virgin Mobile USA, L.P. ("Virgin Mobile") seeks designation as an Eligible  
15 Telecommunications Carrier ("ETC") so that it may provide the services identified in its  
16 Application to eligible customers in Arizona. ALECA is concerned that Virgin Mobile's  
17 proposed service request may raise jurisdictional issues concerning the provision of services on  
18 tribal lands.

19 ALECA reserves the right to take positions on any other issues in this case.

20 No other party can adequately represent ALECA's interests.

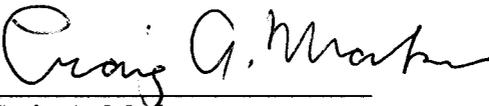
21 **III Requested Relief**

22 ALECA asks that the Commission grant its Motion to Intervene.

---

<sup>1</sup> Fort Mohave Telecommunications, Gila River Telecommunications, Hopi Telecommunications, San Carlos Apache Telecommunications Utility and the Tohono O'odham Utility Authority are tribally-owned telephone Companies, which are not subject to the jurisdiction of the Arizona Corporation Commission.

1 RESPECTFULLY SUBMITTED on March 9, 2012.  
2  
3

4   
5

6 Craig A. Marks  
7 Craig A. Marks, PLC  
8 10645 N. Tatum Blvd., Ste. 200-676  
9 Phoenix, Arizona 85028  
10 (480) 367-1956 (Direct)  
11 (480) 367-1956 (Fax)  
12 [Craig.Marks@azbar.org](mailto:Craig.Marks@azbar.org)  
13 Attorney for ALECA  
14

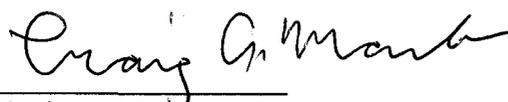
15 **Original** and 13 copies **filed**  
16 on March 9, 2012, with:

17  
18 Docket Control  
19 Arizona Corporation Commission  
20 1200 West Washington  
21 Phoenix, Arizona 85007  
22

23 **Copy of the foregoing mailed**  
24 on March 9, 2012, to:

25  
26 Scott S. Wakefield, Esq.  
27 Ridenour Hienton & Lewis  
28 Chase Tower  
29 201 N. Central Ave, Suite 3300  
30 Phoenix, AZ 85004  
31

32  
33 By:

34   
Craig A. Marks