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Arizona Corporation Commission

BEFORE THE ARIZONA CORPORATION COMMISSION

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JUL 30 2012

COMMISSIONERS

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

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ARIZONA CORP COMMISSION DOCKET CONTROL

DOCKETED BY JM

IN THE MATTER OF THE APPLICATION OF INTRADO COMMUNICATIONS INC. FOR APPROVAL OF A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE RESOLD AND FACILITIES-BASED LOCAL EXCHANGE, AND PRIVATE LINE TELECOMMUNICATIONS SERVICES IN ARIZONA.

DOCKET NO. T-20750A-10-0289

PROCEDURAL ORDER SETTING HEARING DATE

BY THE COMMISSION:

On July 14, 2010, Intrado Communications Inc. ("Intrado" 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 and facilities-based local exchange telecommunications services in Arizona. Intrado's application also requests a determination that its proposed services are competitive.

On November 16, 2011, Intrado filed an amended application requesting to provide only resold local exchange, facilities-based local exchange, and private line telecommunication services in Arizona.

On July 26, 2012, Staff filed a Staff Report recommending approval of Intrado's application subject to certain conditions.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the hearing on the above-captioned application shall be held on October 1, 2012, at 10:00 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, 2nd Floor Conference Room, Phoenix, Arizona.

IT IS FURTHER ORDERED that Intrado shall publish, by August 24, 2012, notice of the application and the hearing date, as stated below, in a newspaper of general circulation in every county in Arizona in which Intrado desires to provide service.

**IN THE MATTER OF THE APPLICATION OF INTRADO
COMMUNICATIONS INC. FOR APPROVAL OF A CERTIFICATE
OF CONVENIENCE AND NECESSITY TO PROVIDE
RESOLD AND FACILITIES-BASED LOCAL EXCHANGE
AND PRIVATE LINE TELECOMMUNICATION
SERVICES IN ARIZONA.
(DOCKET NO. T-20750A-10-0289)**

On July 14, 2010, Intrado Communications Inc. ("Intrado" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for approval of a Certificate of Convenience and Necessity ("CC&N") to provide resold local exchange, facilities-based local exchange, and private line telecommunication services in Arizona. The application also requests a determination that its proposed services are competitive in Arizona. The Commission's Utilities Division ("Staff") has recommended that the Commission approve Intrado's application, subject to certain conditions. The Commission will issue a Decision following consideration of testimony and evidence presented at an evidentiary hearing. The Commission is not bound by the proposals made by Intrado, Staff, or intervenors. If Intrado's application is approved, Intrado will be required to provide service under the rates, charges, terms and conditions established by the Commission. Copies of the application, Staff Report, and any written objections to the Staff Report filed by Intrado will be available at Intrado's offices [**Insert Company Address**]; at the Commission's Docket Control Center at 1200 West Washington, Phoenix, Arizona; and on the internet via the Commission's website (www.azcc.gov) using the e-Docket function.

The Commission will hold a hearing on Intrado's application on **October 1, 2012, at 10:00 a.m.**, at the Commission's offices, 1200 West Washington Street, 2nd Floor Conference Room, Phoenix, Arizona. Public comments will be taken on the first day of the hearing. Written public comments may be submitted via email (for instructions go to <http://www.azcc.gov/divisions/utilities/forms/publiccommentform.pdf>) or by mailing a letter referencing Docket No. T-20750A-10-0289 to: Arizona Corporation Commission, Consumer Services Section, 1200 West Washington Street, Phoenix, AZ 85007. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000 or 602-542-4251.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you would like to intervene, you must file a written motion to intervene with the Commission, and you must send copies of the motion to Intrado or its counsel and to all parties of record in the case. Your motion to intervene must contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any person upon whom service of documents is to be made if different from the intervenor;
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of the Company, a shareholder of the Company, etc.); and
3. A statement certifying that a copy of the motion to intervene has been mailed to the Company or its counsel and to all parties of record in the case.

1 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
2 that all motions to intervene must be filed on or before September 7, 2012. The
3 granting of intervention, among other things, entitles a party to present sworn
4 evidence at the hearing and to cross examine other witnesses. However, failure to
5 intervene will not preclude any interested person or entity from appearing at the
6 hearing and making a statement on their own behalf. If representation by counsel is
7 required under Arizona Supreme Court Rules 31 and 38, intervention will be
8 conditioned upon the intervenor obtaining counsel to represent the intervenor.

9 The Commission does not discriminate on the basis of disability in admission to its
10 public meetings. Persons with a disability may request a reasonable accommodation
11 such as a sign language interpreter, as well as request this document in an alternative
12 format, by contacting the ADA Coordinator, Shaylin Bernal, at SABernal@azcc.gov,
13 voice phone number 602-542-3931. Requests should be made as early as possible to
14 allow time to arrange the accommodation.

15 IT IS FURTHER ORDERED that **Intrado shall file, by September 17, 2012, an Affidavit**
16 **of Publication** with the Commission.

17 IT IS FURTHER ORDERED that **all motions for intervention shall be filed by September**
18 **7, 2012**, and shall be in accordance with A.A.C. R14-3-105.

19 IT IS FURTHER ORDERED that any **objections to intervention(s) shall be filed by**
20 **September 17, 2012**.

21 IT IS FURTHER ORDERED that **specific disagreements/comments, if any, to the Staff**
22 **Report or application shall be filed by September 17, 2012**.

23 IT IS FURTHER ORDERED that **all parties must comply with Arizona Supreme Court**
24 **Rules 31 and 38 and A.R.S. § 40-243 with respect to practice of law in Arizona and before the**
25 **Commission and admission *pro hac vice***.

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

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

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

3 Dated this 30th day of July, 2012.

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5 
6 YVETTE B. KINSEY
7 ADMINISTRATIVE LAW JUDGE
8

9 Copies of the foregoing mailed/delivered
10 this 30th day of July, 2012 to:

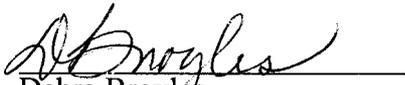
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25 Phoenix, AZ 85007

26 Steven M. Olea, Director
27 Utilities Division
28 ARIZONA CORPORATION COMMISSION
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ARIZONA REPORTING SERVICE, INC.
2200 North Central Avenue, Suite 502
Phoenix, AZ 85004-1481

29 By: 
30 Debra Broyles
31 Secretary to Yvette B. Kinsey
32
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