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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

AZ CORP
DOCKET 001

2013 JAN 22 PM 3 27

Arizona Corporation Commission

DOCKETED

JAN 22 2013

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF
PREFERRED LONG DISTANCE, INC. FOR
APPROVAL OF A CERTIFICATE OF
CONVENIENCE AND NECESSITY TO
PROVIDE RESOLD LONG DISTANCE, RESOLD
LOCAL EXCHANGE AND FACILITIES-BASED
LOCAL EXCHANGE TELECOMMUNICATIONS
SERVICES.

DOCKET NO. T-04308A-12-0118

PROCEDURAL ORDER
SETTING HEARING DATE

BY THE COMMISSION:

On March 29, 2012, Preferred Long Distance, Inc. ("Preferred" 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 long distance, resold local exchange, and facilities-based local exchange telecommunication services within the State of Arizona. Preferred's application also requests a determination that its proposed services are competitive in Arizona.

On May 21, 2012, the Commission's Utilities Division ("Staff") submitted its First Set of Data Requests to the Company.

On May 29, 2012, Preferred filed responses to Staff's First Set of Data Requests.

On July 17 and September 13, 2012, Preferred filed responses related to Staff's Data Requests.

On November 20, 2012, Staff filed a Staff Report recommending approval of Preferred's application, subject to certain conditions.

On January 8 and 11, 2013, the Company filed supplements to its application.

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

1 IT IS THEREFORE ORDERED that the **hearing** on the above-captioned application shall be
 2 held on **March 18, 2013, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's
 3 offices, 1200 West Washington Street, Hearing Room No. 1, Phoenix, Arizona.

4 IT IS FURTHER ORDERED that **Preferred shall publish, by February 12, 2013, notice** in
 5 a newspaper of general circulation in every county in Arizona in which Preferred desires to provide
 6 service, in the following form and style, with a heading no less than 10-point bold type, and a body in
 7 no less than 8-point regular type:

8 **IN THE MATTER OF THE APPLICATION OF PREFERRED LONG**
 9 **DISTANCE, INC. FOR APPROVAL OF A CERTIFICATE OF**
 10 **CONVENIENCE AND NECESSITY TO PROVIDE RESOLD LONG**
 11 **DISTANCE, RESOLD LOCAL EXCHANGE, AND FACILITIES-BASED**
 12 **LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES IN ARIZONA.**
 13 **(DOCKET NO. T-04308-12-0118)**

14 On March 29, 2012, Preferred Long Distance, Inc. ("Preferred" or "Company") filed
 15 with the Arizona Corporation Commission ("Commission") an application for
 16 approval of a Certificate of Convenience and Necessity ("CC&N") to provide resold
 17 long distance, resold local exchange, and facilities-based local exchange
 18 telecommunication services within the State of Arizona. Preferred's application also
 19 requests a determination that its proposed services are competitive in Arizona. The
 20 Commission's Utilities Division ("Staff") has recommended that the Commission
 approve the Company'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
 Preferred, Staff, or intervenors. If the Company's application is approved, Preferred
 will be required to provide service under the rates, charges, terms and conditions
 established by the Commission. Copies of Preferred's application, Staff Report, and
 any written objections to the Staff Report filed by the Company will be available at
 Preferred'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.

21 The Commission will hold a hearing on Preferred's application on **March 18, 2013,**
 22 **at 10:00 a.m.**, at the Commission's offices, 1200 West Washington Street, Hearing
 23 Room No. 1, Phoenix, Arizona. Public comments will be taken on the first day of the
 24 hearing. Written public comments may be submitted by mailing a letter referencing
 25 **Docket No. T-04308A-12-0118** to: Arizona Corporation Commission, Consumer
 26 Services Section, 1200 West Washington Street, Phoenix, AZ 85007. If you require
 27 assistance, you may contact the Consumer Services Section at 1-800-222-7000 or
 28 602-542-4251.

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 Preferred

1 or its counsel and to all parties of record in the case. Your motion to intervene must
2 contain the following:

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

10 The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
11 that all motions to intervene must be filed on or before **March 1, 2013**. The granting
12 of intervention, among other things, entitles a party to present sworn evidence at the
13 hearing and to cross examine other witnesses. However, failure to intervene will not
14 preclude any interested person or entity from appearing at the hearing and making a
15 statement on their own behalf. If representation by counsel is required under Arizona
16 Supreme Court Rules 31 and 38, intervention will be conditioned upon the intervenor
17 obtaining counsel to represent the intervenor.

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

24 IT IS FURTHER ORDERED that **Preferred shall file, by February 26, 2013, an Affidavit**
25 **of Publication** with the Commission.

26 IT IS FURTHER ORDERED that **all motions for intervention shall be filed by March 1,**
27 **2013,** and shall be in accordance with A.A.C. R14-3-105.

28 IT IS FURTHER ORDERED that any **objections to intervention(s) shall be filed by March**
29 **11, 2013.**

30 IT IS FURTHER ORDERED that **specific disagreements/comments, if any, to the Staff**
31 **Report or application shall be filed by March 11, 2013.**

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

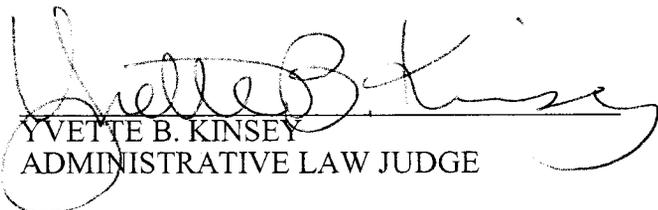
35 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
36 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona
37 Supreme Court Rule 42). Representation before the Commission includes appearance at all hearings
38

1 and procedural conferences, as well as all Open Meetings for which the matter is scheduled for
2 discussion, unless counsel has previously been granted permission to withdraw by the Administrative
3 Law Judge or the Commission.

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

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

9 Dated this 22nd day of January, 2013.

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12 
13 YVETTE B. KINSEY
14 ADMINISTRATIVE LAW JUDGE

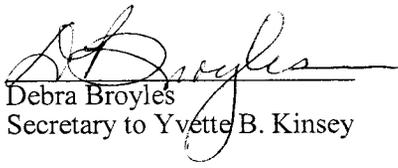
15 Copies of the foregoing mailed/delivered
this 22nd day of January, 2013 to:

16 Andrew O. Isaar
17 MILLER ISAAR, INC.
18 4423 Point Fosdick Drive NW, Suite 306
Gig Harbor WA 98335
Regulatory Consultants to Applicant

19 Janice Alward, Chief Counsel
20 Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

21 Steven M. Olea, Director
22 Utilities Division
ARIZONA CORPORATION COMMISSION
23 1200 West Washington Street
Phoenix, AZ 85007

24 ARIZONA REPORTING SERVICE, INC.
25 2200 North Central Avenue, Suite 502
Phoenix, AZ 85004-1481

26 By: 
27 Debra Broyles
28 Secretary to Yvette B. Kinsey