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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
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IN THE MATTER OF THE APPLICATION OF
MIDVALE TELEPHONE COMPANY, INC. FOR
APPROVAL OF AN EXTENSION OF ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO SERVE AN ADDITIONAL AREA
IN YAVAPAI COUNTY.

DOCKET NO. T-20741A-15-0136

PROCEDURAL ORDER
(Sets a Hearing)

BY THE COMMISSION:

On April 24, 2015, Midvale Telephone Company, Inc. ("Midvale" or "Company") filed with the Arizona Corporation Commission ("Commission"), an application requesting that the Commission approve an extension of its Certificate of Convenience and Necessity ("CC&N") to provide local exchange and toll access telecommunication services in Yavapai County.

On May 26, 2015, the Commission's Utilities Division ("Staff") filed a Sufficiency Letter stating that Midvale's application for an extension of its CC&N had met the sufficiency requirements as outlined in the Arizona Administrative Code ("A.A.C.").

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** in the above-captioned matter shall commence on **September 1, 2015, at 10:00 a.m.**, or as soon thereafter as is practicable, at the Commission's offices, 1200 West Washington, Hearing Room No. 1, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that **Midvale shall publish by July 22, 2015, notice of the application and hearing date** in a newspaper of general circulation in the proposed extension areas, in the following form and style with the heading in no less than 12-point bold type and the body in no less than 10-point regular type:

Arizona Corporation Commission

DOCKETED

JUN 15 2015

DOCKETED BY **DAB**

**PUBLIC NOTICE OF HEARING IN THE MATTER OF THE APPLICATION
OF MIDVALE TELEPHONE COMPANY, INC., FOR APPROVAL OF AN
EXTENSION OF ITS CERTIFICATE OF CONVENIENCE AND NECESSITY
TO SERVE AN ADDITIONAL AREA IN YAVAPAI COUNTY.
DOCKET NO. T-20741A-15-0136**

On April 24, 2015, Midvale Telephone Company, Inc. ("Midvale" or Company") filed with the Arizona Corporation Commission ("Commission"), an application requesting that the Commission approve an extension of its current Certificate of Convenience and Necessity ("CC&N") to provide local exchange and toll access telecommunication services in Yavapai County. The Commission's Utilities Division ("Staff") has not yet made a recommendation regarding the application, and the Commission is not bound by the proposals made by Midvale, Staff, or any intervenors. The Commission will issue a Decision regarding the application following consideration of testimony and evidence presented at an evidentiary hearing. A copy of the applications are available at Midvale's offices [insert addresses] and at the Commission's offices at 1200 West Washington Street, Phoenix, Arizona, for public inspection during regular business hours, and on the internet via the Commission website (www.azcc.gov) using the e-docket function.

The Commission will hold a hearing on the application on **September 1, 2015, at 10:00 a.m.**, at the Commission's offices, in Hearing Room No. 1, 1200 West Washington Street, Phoenix, Arizona. Public comments will be taken **on the first day** of the hearing. You may also file your written comments electronically by going to the Commission's homepage at www.azcc.gov and clicking on the "Submit a Public Comment" button or by mailing a letter referencing Docket No. T-20741A-15-0136 to: Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007.

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 wish to intervene, you must file an original and 13 copies of a written motion to intervene with the Commission no later than **August 11, 2015**, and send a copy of the motion to Midvale or their counsel and to all parties of record. Your motion to intervene must contain the following:

1. The name, address, and telephone number and the name, address, and telephone number of any party upon whom service of documents is to be made, if not yourself;
2. A short statement of your interest in the proceeding (e.g., a customer of the Company etc.);
3. A statement certifying that you have mailed a copy of the motion to intervene to Midvale or its counsel and to all parties of record in the case; and
4. If the proposed intervenor is not represented by an attorney who is an active member of the Arizona State Bar, and is not an individual representing himself or herself, information and any appropriate documentation demonstrating the intervenor's compliance with Arizona Supreme Court Rules 31, 38, and 42, as applicable.

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 August 11, 2015. For
3 information about requesting intervention, visit the Commission's website at
4 <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of
5 intervention, among other things, entitles a party to present sworn evidence at hearing
6 and to cross-examine other witnesses. However, failure to intervene will not preclude
7 any interested person or entity from appearing at the hearing and providing public
8 comment on the applications or from filing written comments in the record of the case.

9 If you have any questions about these applications, you may contact Midvale at
10 [insert telephone number]. If you wish to file written comments on the applications
11 or want further information on intervention, you may contact the Consumer Services
12 Section of the Commission at 1200 W. Washington Street, Phoenix, AZ 85007, or call
13 1-800-222-7000.

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

20 IT IS FURTHER ORDERED that Midvale shall **file certification of mailing and
21 publication** as soon as practicable after mailing/publication has been completed, but not later than
22 **August 11, 2015**.

23 IT IS FURTHER ORDERED that the **Staff Report** and associated exhibits, available at the
24 time the Staff Report is filed, to be presented at hearing shall be reduced to writing and filed on or
25 before **August 4, 2015**.

26 IT IS FURTHER ORDERED that any objections to the Staff Report shall be reduced to
27 writing and filed on or before **August 25, 2015**.

28 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,
except that all motions to intervene must be filed on or before **August 11, 2015**.

IT IS FURTHER ORDERED that any objections to any Motions to Intervene shall be filed on
or before **August 25, 2015**.

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

IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
of the Arizona Supreme Court and A.R.S. §40-243 with respect to the practice of law and admission

1 *pro hac vice.*

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

8 IT IS FURTHER ORDERED that each party to this matter may opt to receive service of all
9 Procedural and Recommended Orders issued by the Commission's Hearing Division in this matter
10 via e-mail rather than U.S. Mail, as permitted under A.A.C. R14-3-107(B). To exercise this option, a
11 party shall send to HearingDivisionServicebyEmail@azcc.gov, from the e-mail address at which the
12 party desires to receive service, an e-mail request including the name of the party on whom service is
13 to be made and the docket number for this matter. After a party receives an e-mail confirmation of its
14 request from HearingDivisionServicebyEmail@azcc.gov, the party will receive all future Procedural
15 and Recommended Orders issued by the Hearing Division in this matter via e-mails to the address
16 provided by the party, unless and until the party withdraws its request. Service of a document via e-
17 mail shall be considered complete upon the sending of an e-mail containing the document to the e-
18 mail address provided by a party, regardless of whether the party receives or reads the e-mail
19 containing the document.

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 15th day of June, 2015.

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SASHA PATERNOSTER
ADMINISTRATIVE LAW JUDGE

1 Copies of the foregoing mailed/delivered
2 this 15th day of June, 2015 to:

3 Michael W. Patten
4 Timothy J. Sabo
5 SNELL & WILMER, L.L.P.
6 One Arizona Center
7 400 East Van Buren Street, 19th Floor
8 Phoenix, AZ 85004
9 Attorney for Midvale Telephone Company, Inc.

10 Dennis Farrington
11 MTE Communications
12 8800 E. Long Mesa Drive
13 Prescott Valley, AZ 86314

14 Janice Alward, Chief Counsel
15 Legal Division
16 ARIZONA CORPORATION COMMISSION
17 1200 West Washington Street
18 Phoenix, AZ 85007

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

24 COASH & COASH, INC.
25 Court Reporting, Video and
26 Videoconferencing
27 1802 North 7th Street
28 Phoenix, AZ 85006

By: Rebecca Uhquera
Rebecca Uhquera
Assistant to Sasha Paternoster