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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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Arizona Corporation Commission

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AZ CORP COMMISSION
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JUN 19 2015

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ORIGINAL

IN THE MATTER OF THE APPLICATION OF
TABLE TOP TELEPHONE COMPANY, INC. FOR
AUTHORITY TO AMEND ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. T-02724A-14-0412

IN THE MATTER OF THE APPLICATION OF
QWEST CORPORATION DBA CENTURYLINK
QC TO AMEND ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. T-01051B-14-0412

IN THE MATTER OF THE APPLICATION OF
MIDVALE TELEPHONE COMPANY, INC. TO
AMEND ITS CERTIFICATE OF CONVENIENCE
AND NECESSITY.

DOCKET NO. T-20741A-14-0412

PROCEDURAL ORDER
(Schedules A Hearing)

BY THE COMMISSION:

On December 16, 2014, Table Top Telephone Company, Inc. ("Table Top"), Qwest Corporation dba CenturyLink QC ("CenturyLink"), and Midvale Telephone Exchange, Inc. filed with the Arizona Corporation Commission ("Commission") a joint application to extend Table Top's Certificate of Convenience and Necessity ("CC&N") to provide facilities-based local exchange telecommunications services to seven parcels in Yavapai County and to one parcel in Maricopa County, Arizona. As part of the application, CenturyLink and Midvale request that the portions of territory Table Top seeks to serve currently located in CenturyLink's and Midvale's service areas be deleted from their respective CC&Ns.

On December 18, 2014, Table Top filed an Amendment to the Application, correcting the caption and references to Midvale Telephone Exchange, Inc. and changing it to Midvale Telephone Company, Inc. ("Midvale").

On February 19, 2015, the Commission's Utilities Division ("Staff") filed an Insufficiency Letter requesting additional information.

1 On March 23, 2015, Table Top filed its Response to Staff's First Set of Data Requests.

2 On April 22, 2013, Timothy J. Sabo filed a Notice of Appearance on behalf of Midvale.

3 On April 27, 2015, a Notice to the Parties was filed by the Administrative Law Judge
4 assigned to this matter.

5 On May 13, 2015, Staff filed its Second Set of Data Requests to Table Top.

6 On May 19, 2015, one consumer comment letter was docketed in support of the application.

7 On May 22, 2015, Table Top filed its Response to Staff's Second Set of Data Requests.

8 On May 27, 2015, one consumer comment letter was docketed in support of the application.

9 On June 18, 2015, Staff filed a Staff Report recommending approval of Table Top's
10 application, subject to certain conditions.

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

13 IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall
14 commence on **August 26, 2015, at 10:00 a.m.**, or as soon thereafter as is practicable, at the
15 Commission's offices, 1200 W. Washington St., Hearing Room No. 2, Phoenix, Arizona 85007.

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

20 **PUBLIC NOTICE OF HEARING IN THE MATTER OF THE JOINT**
21 **APPLICATION OF TABLE TOP TELEPHONE COMPANY, INC., QWEST**
22 **CORPORATION DBA CENTURYLINK, QC, AND MIDVALE TELEPHONE**
23 **COMPANY INC., FOR APPROVAL TO AMEND THEIR EXISTING**
CERTIFICATES OF CONVENIENCE AND NECESSITY.
DOCKET NOS. T-02724A-14-0412, T-01051B-14-0412 AND T-20741A-14-0412.

24 On December 16, 2014, Table Top Telephone Company, Inc. ("Table Top"), Qwest
25 Corporation dba CenturyLink QC ("CenturyLink"), and Midvale Telephone Company,
26 Inc. ("Midvale") filed with the Arizona Corporation Commission ("Commission") a
27 joint application to extend Table Top's Certificate of Convenience and Necessity
28 ("CC&N") to provide facilities-based local exchange telecommunications services to
seven parcels in Yavapai County and to one parcel in Maricopa County, Arizona. As
part of the application, CenturyLink and Midvale request that the portions of territory
Table Top seeks to serve currently located in CenturyLink's and Midvale's service

1 areas be deleted from their respective CC&Ns. The Commission's Utilities Division
2 ("Staff") has recommended approval of the application, subject to certain conditions.
3 The Commission will issue a Decision regarding the application following
4 consideration of testimony and evidence presented at an evidentiary hearing. The
5 Commission is not bound by the proposals made by Table Top, CenturyLink, Midvale,
6 Staff, or intervenors. If the joint application is approved, Table Top will be required to
7 provide service under the rates, charges, terms, and conditions established by the
8 Commission. Copies of the joint application, the Staff Report, and any written
9 objections to the Staff Report filed by the parties are available at Table Top's offices
10 [insert addresses] and at the Commission's offices at 1200 West Washington Street,
11 Phoenix, Arizona, for public inspection during regular business hours, and on the
12 internet via the Commission website (www.azcc.gov) using the e-Docket function.

13
14 The Commission will hold a hearing on the joint application on **August 26, 2015, at**
15 **10:00 a.m.**, at the Commission's offices, in Hearing Room No. 1, 1200 West
16 Washington Street, Phoenix, Arizona. Public comments will be taken **on the first day**
17 of the hearing. You may also file your written comments electronically by going to
18 the Commission's homepage at www.azcc.gov and clicking on the "Submit a Public
19 Comment" button or by mailing a letter referencing Docket Nos. T-02724A-14-0412,
20 T-01051B-14-0412, and T-20741A-14-0412 to: Arizona Corporation Commission,
21 Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007. If you
22 require assistance, you may contact the Consumer Services Section at 1-800-222-7000
23 or 602-542-4251.

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

1. Your 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 the proposed intervenor's interest in the
proceeding (e.g., a customer of the Company, etc.);
3. A statement certifying that a copy of the motion to intervene has
been mailed to the Parties or their 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.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except
that all motions to intervene must be filed on or before **August 5, 2015**. For
information about requesting intervention, visit the Commission's website at
<http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of
intervention, among other things, entitles a party to present sworn evidence at hearing

1 and to cross-examine other witnesses. However, failure to intervene will not preclude
2 any interested person or entity from appearing at the hearing and providing public
3 comment on the applications or from filing written comments in the record of the case.

4 If you have any questions about these applications, you may contact Table Top at
5 **[insert telephone number]**. If you wish to file written comments on the applications
6 or want further information on intervention, you may contact the Consumer Services
7 Section of the Commission at 1200 W. Washington Street, Phoenix, AZ 85007, or call
8 1-800-222-7000.

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, E-mail
13 Sbernal@azcc.gov, voice phone number 602/542-3931. Requests should be made as
14 early as possible to allow time to arrange the accommodation.

15 IT IS FURTHER ORDERED that Table Top shall **file certification of mailing and**
16 **publication** as soon as practicable after mailing/publication has been completed, but not later than
17 **August 5, 2015.**

18 IT IS FURTHER ORDERED that any objections to the Staff Report shall be reduced to
19 writing and filed on or before **August 5, 2015.**

20 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,
21 except that all motions to intervene must be filed on or before **August 5, 2015.**

22 IT IS FURTHER ORDERED that any objections to any Motions to Intervene shall be filed on
23 or before **August 19, 2015.**

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

27 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
28 31, 38, and 42 and A.R.S. §40-243 with respect to the practice of law in Arizona and before the
Commission and admission *pro hac vice*.

IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona
Supreme Court Rule 42). Representation before the Commission includes appearance at all hearings
and procedural conferences, as well as Open Meetings for which the matter is scheduled for

1 discussion, unless counsel has previously been granted permission to withdraw by the Administrative
2 Law Judge or Commission.

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

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

17 DATED this 19th day of June, 2015.

18
19
20 
21 _____
22 SASHA PATERNOSTER
23 ADMINISTRATIVE LAW JUDGE
24

25 Copies of the foregoing mailed/delivered
26 this 19th day of June, 2015 to:

26 Craig A. Marks
27 CRAIG A. MARKS, PLC
28 10645 N. Tatum Blvd, Suite 200-676
Phoenix, AZ 85028
Attorney for Table Top Telephone Company

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

8 Norman G. Curtright, Corporate Counsel
9 QWEST CORPORATION DBA CENTURYLINK QC
10 20 East Thomas Road, 16th Floor
11 Phoenix, Arizona 85012

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

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

22 COASH & COASH, INC.
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24 Videoconferencing
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27
28 By: Rebecca Unquera
Rebecca Unquera
Assistant to Sasha Paternoster