

ORIGINAL

INTERVENTION



0000168844

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

DOUG LITTLE, Chairman
BOB STUMP
ROBERT BURNS
TOM FORESE
ANDY TOBIN

RECEIVED

2016 MAR -4 P 4: 54

AZ CORP COMMISSION
DOCKET CONTROL

APPLICATION OF IM TELECOM, LLC,
D/B/A INFINITY MOBILE FOR
DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER IN
THE STATE OF ARIZONA ON A
WIRELESS BASIS (LOW-INCOME ONLY)

DOCKET NO. T-20951A-16-0051

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) 304-4821 (Fax)
11 Craig.Marks@azbar.org
12 Attorney for ALECA

Arizona Corporation Commission

DOCKETED

MAR 04 2016

DOCKETED BY

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.¹

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. IM Telecom, LLC, dba Infinity Mobil (“Infinity Mobil”), seeks designation as an
15 Eligible Telecommunications Carrier (“ETC”) so that it may provide the services identified in its
16 Application to eligible customers in Arizona, including “including Federally-Recognized Tribal
17 Lands.” Tribal Lands are not subject to the jurisdiction of the Arizona Corporation Commission.
18 Therefore, Infinity Mobil’s proposed service request raises jurisdictional issues concerning the
19 provision of services on tribal lands without authorization from tribal regulatory authorities.

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

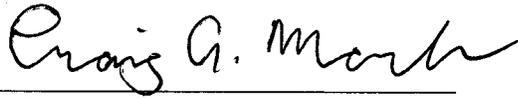
21 No other party can adequately represent ALECA’s interests.

22 **III Requested Relief**

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

¹ 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 4, 2016.
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) 304-4821 (Fax)
12 Craig.Marks@azbar.org
13 Attorney for ALECA
14

15 **Original** and 13 copies **filed**
16 on March 4, 2016, with:

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

23 **Copy** of the foregoing **mailed and e-mailed**
24 on March 4, 2016, to:

25
26 Lance J.M. Steinhart
27 Managing Attorney
28 Lance J.M. Steinhart, P.C.
29 1725 Windward Concourse, Suite 150
30 Alpharetta, Georgia 30005
31 E-Mail: lsteinhart@telecomcounsel.com