

**INTERVENTION**

**ORIGINAL**



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**BEFORE THE ARIZONA CORPORATION COMMISSION**

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Arizona Corporation Commission

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**TOM FORESE**  
Chairman  
**BOB BURNS**  
Commissioner  
**DOUG LITTLE**  
Commissioner  
**ANDY TOBIN**  
Commissioner  
**BOYD W. DUNN**  
Commissioner

**IN THE MATTER OF THE APPLICATION  
OF ACCIPITER COMMUNICATIONS  
INCORPORATED, DOING BUSINESS AS  
ZONA COMMUNICATIONS, TO EXTEND  
ITS CERTIFICATE OF CONVENIENCE  
AND NECESSITY.**

**DOCKET NO. T-2847A-17-0071<sup>0</sup>**

**APPLICATION OF QWEST CORPORATION  
D/B/A CENTURYLINK QC FOR LEAVE TO  
INTERVENE AS A PARTY AND MOTION FOR  
JOINDER IN ACCIPITER'S APPLICATION  
FOR EXTENSION OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY**

Pursuant to A.A.C. R14-3-105, Qwest Corporation d/b/a CenturyLink QC ("CenturyLink") files this Application For Leave To Intervene As A Party, and Motion For Joinder in Accipiter's Application For Extension of Its Certificate of Convenience And Necessity. In support, CenturyLink states as follows:

1. CenturyLink is an incumbent local exchange telecommunications service provider in Arizona intrastate commerce, subject to the jurisdiction of the Arizona Corporation Commission ("Commission").

2. CenturyLink's local service territory, as depicted on service boundary maps on file with the Commission, encompasses the Extension Area that Accipiter Communications Incorporated d/b/a Zona Communications ("Zona") seeks in this proceeding to have removed from CenturyLink's recorded service territory and added to Zona's service territory, under Zona's certificate of convenience and necessity ("CC&N"). CenturyLink must be accorded intervention as a party in view of its legal interest in the subject matter of the Zona Application.

1           3.       Wherefore, CenturyLink respectfully requests that the Commission grant CenturyLink  
2 status as a party in this matter and that CenturyLink be allowed to participate fully.

3           4.       Upon grant of intervention as a party, CenturyLink joins in Zona's request that the  
4 Commission issue its order removing the Extension Area from CenturyLink's service area and  
5 extending Zona's CC&N to include the Extension Area, and such other relief and requests as Zona has  
6 requested in its Application that the Commission finds appropriate.

7           5.       CenturyLink consents to the removal of the Extension Area from its service area because:

- 8           a.       CenturyLink has no customers in or near the Extension Area;
- 9           b.       No landowners, developers, or residents in the Extension Area have requested  
10 CenturyLink to provide service;
- 11           c.       CenturyLink has no telecommunications infrastructure within or near the  
12 Extension Area; and
- 13           d.       For the reasons stated above, CenturyLink is not positioned to extend its lines and  
14 to provide service to the developments planned for the Extension Area without  
15 substantial new capital investment that would be uneconomic to make.

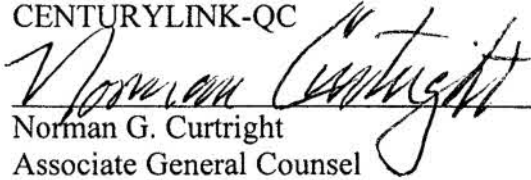
16           6.       CenturyLink states that extending Zona's CC&N to include the Extension Area is an  
17 expedient and effective way for the Commission to assure telecommunications services to the Extension  
18 Area by a certificated landline provider, and serves the public interest for the following reasons:

- 19           a.       Zona's existing CC&N covers land adjacent to the Extension Area;
- 20           b.       Zona currently provides facilities-based local exchange and other  
21 telecommunications services to portions of the Vistancia development and  
22 Trilogy master planned developments in northwest Peoria, and the new  
23 developments planned for the Extension Area will be part of the same larger  
24 communities already served by Zona;
- 25           c.       Zona has existing infrastructure in the immediate vicinity of the two  
developments;
- d.       Zona states that it is ready, willing, and able to serve the Extension Area; and
- e.       Upon information available to CenturyLink and its belief, Zona will not be the  
only landline telecommunications provider in the new developments.

1 7. For the reasons set forth above, CenturyLink requests that the Commission allow  
2 CenturyLink's intervention as a party, and issue its order removing the Extension Area from  
3 CenturyLink's service territory and extending Zona's CC&N to include the Extension Area, together  
4 with such other provisions and relief which the Commission may determine to be appropriate in  
5 connection with Zona's Application.

6 RESPECTFULLY SUBMITTED, this 4th day of April, 2017.

7 QWEST CORPORATION d/b/a  
8 CENTURYLINK-QC

9   
10 Norman G. Curtright  
11 Associate General Counsel  
12 20 E. Thomas Road, 1st Floor  
13 Phoenix, Arizona 85012  
14 Telephone: (602) 630-2187

12 ORIGINAL and thirteen (13) copies filed  
13 this 4th day of April, 2017, with:

14 Docket Control  
15 ARIZONA CORPORATION COMMISSION  
16 1200 West Washington Street  
17 Phoenix, Arizona 85007

18 Copy of the foregoing hand delivered  
19 this 4th day of April, 2017:

20 Timothy LaSota, Acting Director  
21 Legal Division  
22 ARIZONA CORPORATION COMMISSION  
23 1200 West Washington Street  
24 Phoenix, Arizona 85007

25 COPY of the foregoing mailed/e-mailed  
this 4th day of April, 2017, to:

Jeffrey W. Crockett, Esq.  
Crockett Law Group, PLLC  
2198 E. Camelback Road, Suite 305  
Phoenix, AZ 85016-4747

