BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS
JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

IN THE MATTER OF QWEST CORPORATION'S
FILING OF RENEWED PRICE REGULATION
PLAN.

IN THE MATTER OF THE INVESTIGATION OF
THE COST OF TELECOMMUNICATIONS
ACCESS.

DOCKET NO. T-01051B-03-0454
DOCKET NO. T-00000D-00-0672

PROCEDURAL ORDER

BY THE COMMISSION:

On August 16, 2005, a Procedural Conference convened in the above-captioned matters for
the purpose of updating the Arizona Corporation Commission ("Commission") on the status of
settlement negotiations and to establish a hearing date on an anticipated Settlement Agreement.
Anticipating that a Settlement Agreement could be filed by August 19, 2005, the parties proposed a
schedule for filing testimony in favor of or opposition to the Settlement Agreement and for a hearing
date the first week in November 2005.

At the August 16, 2005 Procedural Conference, all of the parties agreed on the following
schedule:

Filing Settlement Agreement August 19, 2005
Testimony in Favor of Settlement Agreement September 6, 2005
Testimony in Opposition to Settlement Agreement October 14, 2005
Rebuttal testimony October 28, 2005
Pre-hearing Conference October 31, 2005
Hearing November 1, 2005

On August 24, 2005, the Commission's Utility Division Staff ("Staff") filed a signed
Settlement Agreement between Staff, Qwest Corporation, the Department of Defense and all other
Federal Executive Agencies, the regulated subsidiaries of MCI, Inc., Time Warner Telecom of Arizona, LLC, the Arizona Utility Investors Association, XO Communications Services, Inc. and Cox Arizona Telecom, LLC. Although the Settlement Agreement was not filed on August 19, 2005 as originally anticipated, Staff did not file a recommendation to revise the previously proposed procedural schedule.

It appears that as long as parties supporting the Settlement Agreement are able to file their direct testimony by September 6, 2005 as originally proposed, the agreed procedural schedule presented on August 16, 2005, remains reasonable. Absent a request for additional time, we will adopt the jointly proposed schedule set forth above.

In addition, at the August 16, 2005 Procedural Conference the Residential Utility Consumer Office ("RUCO") requested that in light of the compressed schedule, that responses to discovery requests be due within 7 days and objections be due within 5 days of receipt. Staff and Qwest advocated that responses to discovery requests be due in ten days with objections made within 7 days of receipt. Given the aggressiveness of the proposed schedule and the delay in filing the proposed Settlement Agreement, we find that RUCO’s request is reasonable.

Accordingly, 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 on the proposed Settlement Agreement filed in the above-captioned matter shall commence on November 1, 2005, at 10:00 a.m., or as soon thereafter as is practical, at the Commission’s offices, 1200 West Washington, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that a pre-hearing conference shall be held on October 31, 2005, at 11:00 a.m., at the Commission’s Phoenix offices, for the purpose of scheduling witnesses and the conduct of the hearing.

IT IS FURTHER ORDERED that any testimony and associated exhibits to be presented at hearing on behalf of parties supporting the Settlement Agreement shall be reduced to writing and filed
on or before September 6, 2005. 1

IT IS FURTHER ORDERED that any testimony and associated exhibits to be presented at
hearing on behalf of parties in opposition to the Settlement Agreement shall be reduced to writing
and filed on or before October 14, 2005.

IT IS FURTHER ORDERED that any non-signatory parties who do not file testimony shall file
a statement of position on the Proposed Settlement Agreement on or before October 14, 2005.

IT IS FURTHER ORDERED that any rebuttal testimony and associated exhibits to be
presented at the hearing shall be reduced to writing and filed on or before October 28, 2005.

IT IS FURTHER ORDERED that all filings shall be made by 4:00 p.m. on the date the
filing is due.

IT IS FURTHER ORDERED that any surrebuttal and rejoinder testimony and associated
exhibits to be presented by any party shall be presented orally at the hearing.

IT IS FURTHER ORDERED that any objections to any testimony or exhibits which have
been prefilled as of October 28, 2005, shall be made before or at the October 31, 2005 pre-hearing
conference.

IT IS FURTHER ORDERED that all testimony filed shall include a table of contents which
lists the issues discussed.

IT IS FURTHER ORDERED that any substantive corrections, revisions, or supplements to
pre-filed testimony shall be reduced to writing and filed no later than five days before the witness is
scheduled to testify.

IT IS FURTHER ORDERED that the parties shall prepare a brief, written summary of the
pre-filed testimony of each of their witnesses and shall file each summary by October 31, 2005.

IT IS FURTHER ORDERED that copies of summaries should be served upon the Presiding
Officer, the Commissioners, and the Commissioners' aides as well as the parties of record.

IT IS FURTHER ORDERED that discovery shall be as permitted by law and the rules and
regulations of the Commission, except that any objection to discovery requests shall be made within

1 The Commission expects that each party that is a signatory to the Proposed Settlement Agreement will have a witness
available to testify on its behalf.
5 calendar days of receipt and responses to discovery requests shall be made within 7 calendar days of receipt; the response time may be extended by mutual agreement of the parties involved if the request requires extensive compilation efforts.

IT IS FURTHER ORDERED that, in the alternative to filing a written motion to compel discovery, any party seeking discovery may telephonically contact the Commission's Hearing Division to request a date for a procedural conference to resolve the discovery dispute; that upon such a request, a procedural conference will be convened as soon as practical; and that the party making such a request shall forthwith contact all other parties to advise them of the procedural conference date and shall at the conference provide a statement confirming that the other parties were contacted.2

IT IS FURTHER ORDERED that Qwest shall provide public notice of the hearing in this matter, in the following form and style with the heading in no less than 24 point bold type and the body in no less than 10 point regular type:

PUBLIC NOTICE OF HEARING ON PROPOSED SETTLEMENT AGREEMENT ON QWEST CORPORATION'S APPLICATION FOR RENEWED PRICE REGULATION PLAN, DEREGULATION OF SERVICES, REQUEST FOR ARIZONA UNIVERSAL SERVICE FUNDING AND ON THE INVESTIGATION OF TELECOMMUNICATIONS ACCESS CHARGES

DOCKET NO. T-01051B-03-0454, ET AL.

On May 21, 2004, Qwest Corporation ("Qwest" or "Company") filed an application with the Arizona Corporation Commission ("Commission") for a renewed price regulation plan, deregulation of services, and request for Arizona universal service funding. This matter has been consolidated with the investigation of telecommunications access charges. On August 24, 2005, Qwest, Commission Utilities Division Staff and a number of intervening parties filed a proposed Settlement Agreement which, if approved, would resolve all of the issues raised in these matters. [INSERT LANGUAGE DESCRIBING IMPACT ON RATES/REVENUES HERE] Copies of the proposed Settlement Agreement are available at Qwest's office at [INSERT ADDRESS HERE] and at the Commission's Docket Control at 1200 West Washington, Phoenix, Arizona and at its Tucson office, 400 West Congress, Suite 218, for public inspection during regular business hours.

The Commission will hold a hearing on the proposed Settlement Agreement beginning November 1, 2005, at 10:00 a.m., at the Commission's offices, 1200 West Washington, Phoenix, Arizona. Public comments will be taken on the first day of the hearing. Written public comments may be submitted via email (visit

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2 The parties are encouraged to attempt to settle discovery disputes through informal, good-faith negotiations before seeking Commission resolution of the controversy.

The law provides for an open public hearing. The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting Linda Hogan, ADA Coordinator, voice phone number (602)542-3931, email LHogan@cc.state.az.us. Requests should be made as early as possible to allow time to arrange the accommodation. The Commission does not discriminate on the basis of disability in admission to its public meetings.

IT IS FURTHER ORDERED that Qwest shall cause the above notice to be published at least once in a newspaper of general circulation in every county in Arizona in which it does business, such publication to be completed by September 30, 2005.

IT IS FURTHER ORDERED that Qwest shall file certifications of publication as soon as practical after publication has been completed.

IT IS FURTHER ORDERED that notice shall be deemed complete upon publication of same, notwithstanding the failure of an individual customer to read or receive the notice.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized Communications) continues to apply to this proceeding.

IT IS FURTHER ORDERED that the time periods specified herein shall not be extended pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

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

DATED this 26 day of August, 2005.

JANE L. RODDA
ADMINISTRATIVE LAW JUDGE
Copy of the foregoing mailed/delivered this 26th day of August, 2005, to:

TIMOTHY BERG
TERESA DWYER
FENNEMORE CRAIG, P.C.
3003 NORTH CENTRAL AVE., SUITE 2600
PHOENIX, ARIZONA 85012-2913
ATTORNEYS FOR QWEST CORPORATION

TODD LUNDY
QWEST LAW DEPARTMENT
1801 CALIFORNIA STREET
DENVER, COLORADO 80202

SCOTT S. WAKEFIELD, CHIEF COUNSEL
RUCO
1110 WEST WASHINGTON, SUITE 220
PHOENIX, ARIZONA 85007

THOMAS F. DIXON
WORLDCOM, INC.
707 17TH STREET, 39TH FLOOR
DENVER, COLORADO 80202

THOMAS H. CAMPBELL
MICHAEL T. HALLAM
LEWIS AND ROCA
40 N. CENTRAL AVENUE
PHOENIX, ARIZONA 85004
ATTORNEYS FOR WORLDCOM, INC.

MICHAEL W. PATTEN
ROSHKA HEYMAN & DEWULF PLC
400 EAST VAN BUREN STREET,
SUITE 800
PHOENIX, ARIZONA 85004

MARK A. DINUNZIO
COX ARIZONA TELCOM, LLC
20401 NORTH 29TH AVENUE
PHOENIX, ARIZONA 85027

PETER Q. NYCE JR.
REGULATORY LAW OFFICE
U.S. ARMY LITIGATION CENTER
901 N. STUART STREET, SUITE 713
ARLINGTON, VA 22203-1644

RICHARD LEE
SNAVELY KING MAJOORS O’CONNOR & LEE, INC.
1220 L STREET N.W., SUITE 410
WASHINGTON, DC 20005

MARTIN A. ARONSON, ESQ.
MORRILL & ARONSON PLC
ONE E. CAMELBACK, SUITE 340
PHOENIX, AZ 85012-1648
ATTORNEYS FOR ARIZONA DIALTONE, INC.

BRIAN THOMAS
VICE PRESIDENT REGULATORY
TIME WARNER TELECOM, INC.
223 TAYLOR AVENUE NORTH
SEATTLE, WASHINGTON 98109

WALTER W. MEEK, PRESIDENT
ARIZONA UTILITY INVESTORS ASSOCIATION
2100 N. CENTRAL AVENUE, SUITE 210
PHOENIX, AZ 85004

ALBERT STERMAN, VICE PRESIDENT
ARIZONA CONSUMERS COUNCIL
2929 NORTH CENTRAL AVENUE, SUITE 2100
PHOENIX, ARIZONA 85004

JOAN S. BURKE
OSBORN MALEDON PA
2929 NORTH CENTRAL AVENUE, SUITE 2100
PHOENIX, ARIZONA 85012-2794

ERNEST G. JOHNSON, DIRECTOR
UTILITIES DIVISION
ARIZONA CORPORATION COMMISSION
1200 WEST WASHINGTON STREET
PHOENIX, AZ 85007

CHRISTOPHER KEMPLEY, CHIEF COUNSEL
ARIZONA CORPORATION COMMISSION
LEGAL DIVISION
1200 WEST WASHINGTON
PHOENIX, AZ 85007

ARIZONA REPORTING SERVICE, INC
2627 N. THIRD STREET, SUITE THREE
PHOENIX, ARIZONA 85004-1103

By:  
Molly Johnson
Secretary to Jane Rodda