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

BEFORE THE ARIZONA CORPORATION COMMISSION

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IN THE MATTER OF THE REVIEW AND POSSIBLE REVISION OF ARIZONA UNIVERSAL SERVICE FUND RULES, ARTICLE 12 OF THE ARIZONA ADMINISTRATIVE CODE.

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

Docket No. RT-00000H-97-0137

INTEGRA TELECOM’S COMMENTS ON PROCEDURE AND PROPOSED PROTECTIVE AGREEMENT


A. Integra’s Procedural Recommendations.

Integra continues to believe that an examination of intrastate switched access rates in Arizona is premature. Although the FCC has not acted on all access charge reform issues before it, the pertinent FCC docket remain open and should move forward. Given the access charge proposals currently that are still being discussed at the FCC which would impose intrastate access rates on the states such as Missoula Intercarrier Compensation Reform Plan, CC Docket No. 01-92 and AT&T Petition for Interim Declaratory Ruling and Limited Waivers Regarding Access Charges and the “ESP Exemption”, WC Docket No. 08-152, there is a significant risk the access charge portion of this proceeding will be rendered irrelevant. Moreover, given the proposed
linkage between the access charges and the AUSF, AUSF reform would also be affected by FCC action.

Should the Commission decide to move forward on these issues at this time, Integra believes the Commission should consider several elements in shaping the appropriate process. There are numerous potentially affected carriers whose access charges may be reduced. Depending on the bases for potential access charge reductions, each carrier would present different facts that must be considered for any proposed reductions. It would be unwieldy and resource intensive to attempt to conduct carrier-specific proceedings at this point.

Initially, the Commission should conduct a generic process to determine the policy of the Commission on access charges, most likely workshops leading to a rulemaking. The rulemaking, as has been done in other states, would address the issues raised in this docket and could set forth a process for setting access charges on a going-forward basis. The rulemaking also could reduce potential due process issues for the many carriers that have chosen not to participate in this generic docket but who may be asked to modify their access charge.

Integra previously set forth in its October 7, 2008 comment several specific concerns and issues that should be addressed in enacting any access charge or state USF reform. Those issues would be addressed in process adopted by the Commission in this docket.

B. Comments on Proposed Protective Order

Integra finds the proposed protective order to be acceptable except that the last sentence of Section 1(c) is confusing to the extent it references “states”. Integra would not anticipate that any information provided in this docket would be used outside of Arizona and that sentence should be removed or clarified.
RESPECTFULLY SUBMITTED this 23rd day of January, 2009.

INTEGRA TELECOM, INC.

By

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