Docket No. T-00000D-00-0672, the “Access Charge Docket,” was opened to examine the cost of access for various companies operating in Arizona. Phase I of the Access Charge Docket, addressed Qwest Corporation’s (“Qwest”) access charges, and was consolidated with, and resolved, in conjunction with Qwest’s rate cap review. Phase II of the Access Charge Docket was intended to address access charges for all other Arizona telephone companies that provide access services.

Docket No. RT-00000H-97-0137, the “Arizona Universal Service Fund Docket” was set up to review and revise the Arizona Universal Service Fund (“AUSF”) rules in Article 12 of the Arizona Corporation Commission (“Commission”) Rules.

By Procedural Order dated September 29, 2009, a schedule for filing testimony was established and a hearing was set to commence March 16, 2010.

On November 6, 2009, Qwest and Qwest Communications Company, LLC filed a Joint Application for Subpoena Duces Tecum, that would require the production of certain documents from AT&T Communications of the Mountain States, Inc. and TCG Phoenix (collectively “AT&T”), Sprint Communications Company, LP and its affiliates, subsidiaries and predecessors, and MCI Communications Service, Inc. dba Verizon Business Services. Qwest is seeking copies of contracts...
between AT&T and any Competitive Local Exchange Carrier ("CLEC") relating to going-forward
rates, terms or conditions for the provision by the CLEC of intrastate switched access services to
AT&T.

The Subpoena Duces Tecum was issued November 10, 2009.

On November 12, 2009, AT&T filed a Motion to Quash Subpoena Duces Tecum. AT&T
argues the Subpoena is improper, unreasonable and oppressive under Commission Rules and contrary
to Commission discovery practices and also that the Subpoena seeks information and documents
which are beyond and inconsistent with the scope of the proceeding.

The scope of the proceeding has been determined to include whether carriers should be permitted to contract for access rates that differ from tariffed rates. Qwest's request appears to have been made after entities either failed to respond to, or objected to, a Data Request for the same documents. The contracts that Qwest seeks are reasonably calculated to lead to the discovery of admissible evidence, and they should be produced subject to the Protective Order issued in this Docket.

IT IS THEREFORE ORDERED that AT&T's Motion to Quash the Subpoena is denied.

IT IS FURTHER ORDERED that the November 10, 2009 Subpoena is modified pursuant to Rule 45(c)(3)(A) to require the production of the requested documents no later than 5:00 P.M. on November 18, 2009.

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 13th day of November, 2009.

JANE L. RODDA
ADMINISTRATIVE LAW JUDGE
Copies of the foregoing mailed this 11th day of November, 2009 to:

Dan Pozefsky
Chief Counsel
RESIDENTIAL UTILITY
CONSUMER OFFICE
1110 West Washington Street, Suite 220
Phoenix, Arizona 85007
dpozefsky@azaruco.gov*

Norm Curtright
Corporate Counsel
QWEST CORPORATION
20 East Thomas Road, 16th Floor
Phoenix, Arizona 85012
norm.curtright@qwest.com

Patrick J. Black
Fennemore Craig, PC
3003 N. Central Ave., #2600
Phoenix, Arizona 85012
Attorneys for Qwest Corporation and Qwest Communications Company, LLC

Reed Peterson
QWEST CORPORATION
20 East Thomas Road, 16th Floor
Phoenix, Arizona 85012

Michael W. Patten
ROSHIKA DEWULF & PATTEN, PLC
One Arizona Center
400 East Van Buren Street, Suite 800
Phoenix, Arizona 85004
mpatten@rdp-law.com*
Attorneys for Cox Arizona Telecom, LLC
Attorneys for McLeodUSA

Craig A. Marks
CRAIG A. MARKS, PLC
10645 North Tatum Blvd., Suite 200-676
Phoenix, Arizona 85028
Craig.Marks@azbar.org
Attorney for ALECA

Michael M. Grant
GALLAGHER & KENNEDY, P.A.
2575 East Camelback Road
Phoenix, Arizona 85016
mmg@gknnet.com*
Attorneys for AT&T

Isabelle Salgado
AT&T NEVADA
P.O. Box 11010
645 East Plumb Lane, B132
Reno, Nevada 89520
dfoley@att.com*
gc1831@att.com*

Joan S. Burke
OSBORN MALEDON, PA
2929 North Central Avenue, Suite 2100
Phoenix, Arizona 85012
jburke@omiaw.com*
Attorneys for Time Warner Telecom
Attorneys for XO Communications

Lyndall Nipps
Vice President, Regulatory
time Warner TELECOM
845 Camino Sur
Palm Springs, California 92262
Lyndall.Nipps@twtelecom.com*

Thomas Campbell
Michael Hallam
LEWIS AND ROCA LLP
40 North Central Avenue, Suite 1900
Phoenix, Arizona 85004
tcampbell@lrlaw.com*
mhallam@lrlaw.com*
Attorneys for Verizon

Dennis D. Ahers
Associate General Counsel
INTEGRA TELECOM, INC.
730 Second Avenue, Suite 900
Minneapolis, Minnesota 55402
ddahlers@eschelon.com

Rex Knowles
Executive Director - Regulatory
XO COMMUNICATIONS
111 East Broadway, Ste. 1000
Salt Lake City, Utah 84111
rex.knowles@so.com*

Charles H. Carrathers, III
General Counsel, South Central Region
VERIZON, INC.
600 Hidden Ridge
HQE03H52
Irving, Texas 75015
chuck.carrathers@verizon.com*
Parties marked with an “*” have agreed to accept service electronically.