BEFORE THE ARIZONA CORPORATIVE COMMISSIONERS
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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
Docket No. T-00000D-00-0672

INITIAL BRIEF OF COX ARIZONA TELCOM, L.L.C.

Arizona Corporation Commission
DOCKETED JUL - 9 2010

JULY 9, 2010
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The stated purpose of the evidentiary hearing in this docket is to “allow the Commission to consider and make policy determinations that may give rise to a rulemaking process and/or carrier specific proceedings.” September 29, 2009 Procedural Order (Docket Nos. RT-00000H-97-137, T-00000D-00-0672) at 4. The parties have provided substantial information to the Commission to assist in the stated purposes of the consolidated dockets: possible revisions to the Arizona Universal Fund (“AUSF”) and the comprehensive examination of the cost of interexchange switched access. See id. at 1. These dockets, and the recent evidentiary hearing, are not rate proceedings nor has a notice of proposed rulemaking been issued. Moreover, there are many potentially affected parties that were not formal parties to these generic dockets. The information provided at the hearing does provide an overview of and basis for recommendations on how to proceed on AUSF and access charge reform. However, before there are any changes to the AUSF rules or to the access rates of specific Arizona telecommunications carriers, there must be additional proceedings to meet legal and due process requirements.

Cox Arizona Telcom, LLC (“Cox”) believes it is premature and would be inefficient for the Commission to take any further substantive steps regarding AUSF or access charge reform at this time. The FCC has issued its National Broadband Plan (“NBP” or “Plan”), which will modify the landscape of universal service funds and intercarrier compensation such as access charges. The FCC has set a detailed schedule for this reform and is already moving forward with rulemakings and other proceedings. Given the proposed scope of the FCC NBP, it does not make sense for Arizona to devote resources to rulemakings or other proceedings that may be contrary to or incompatible with the Plan and its resulting federal rules and programs. Indeed, given the due process concerns implicated by any mandatory access charge reductions and the procedural requirements of rulemakings, the Commission may end up chasing the FCC reform, rather than getting ahead of the curve.

The record also does not contain any compelling need for access charge reform at this time. The only immediate beneficiary of reduced intrastate access charge rates are IXCs, such as AT&T.
Access charge reductions result in reduced expenses that immediately drop to the IXCs' bottom line. It is unclear if Arizona end-user customers would see any reductions in their intrastate long distance charges or any other benefits from access charge reform. It does appear that there is general consensus that LECs should have an opportunity to recover lost access charge revenues from reduced access rates – either through the AUSF or increasing other rates. Either way, consumers may pay more in other LEC rates or surcharges to support an expanded USF without ever seeing any significant reduction in IXC intrastate long distance charges. Given the lack of evidence of any reason to reduce existing, long standing access rates other than the bottom line of IXCs at this time, the Commission should wait for the detailed transition plans signaled by the FCC to appear, then consider proceedings to synchronize Arizona's USF and intrastate access charge rate structures with those plans.

Should the Commission press forward with these dockets, there are both procedural and substantive issues that should shape subsequent proceedings. First, any reduction of existing intrastate access charge rates requires proper due process. All affected parties need sufficient opportunity to be heard to ensure that the reduction in rates is not confiscatory or illegal. A rulemaking that sets a default rate may be sufficient, provided that each affected carrier has the opportunity to prove that its intrastate access rate should be higher than the default rate. Providing such an opportunity reduces the arbitrariness of simply setting each carrier's rate based on the ILEC rate.

Second, any mandatory reductions to access rates should be implemented over time, as opposed to an immediate flash cut to the final mandated rate. This “glide path” will provide affected parties the opportunity to modify business plans, to meet legal obligations (such as long term contracts) and to develop replacement revenue sources. For example, CLECs may need an opportunity to increase the maximum rates in their tariffs for other services to compensate for reduced access revenue.

Third, it will be difficult for the Commission to ensure that any reductions to access charge rates will actually benefit end user customers. Yet those customers may see an end to the benefits
arising from the current access charge structure. Without such assurances, access charge reform will simply provide a direct and immediate windfall financial benefit to IXC's for the foreseeable future.

Fourth, any modifications to the funding mechanism underlying the AUSF must ensure that no carrier class or customer class is being inequitably burdened.

Finally, Cox submits that, to the extent that the Commission presses forward with access charge reform, the initial phase should address the rural ILECs.

I. **Access Charge Reform in Arizona is Premature and Unnecessary.**

A. **National Broadband Plan.**

On March 16, 2010, the FCC issued its National Broadband Plan. The Plan reflects a potential sea change on many of the basic elements of communications in the United States. The FCC is moving forward to create incentives for universal availability and adoption of broadband.\(^1\) The Plan contemplates significant changes to federal USF programs in order to focus on broadband support.\(^2\) A key element of this aspect of the NBP is intercarrier compensation reform.\(^3\) The Plan sets forth several recommendations directed at intercarrier compensation, including intrastate switched access rates. For example:

1. In Stage One (2010-11), the FCC "should adopt a framework for long-term intercarrier compensation (ICC) reform that creates a glide path to eliminate per-minute charges while providing carriers an opportunity for adequate cost recovery, and establish interim solutions to address arbitrage."\(^4\) This national framework includes the reduction of *intrastate* terminating switched access rates to interstate terminating switched access rate levels "in equal increments over a period of two to four years."\(^5\)

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1. NBP at xiii; NBP, Chap. 8.
2. NBP, Chap. 8.3.
3. NBP at 142.
4. NBP at 148 (Recommendation 8.7)
5. NBP at 148.
2. In Stage Two (2012-16), the FCC “should begin a staged transition of reducing per-minute rates for intercarrier compensation.” Under this Recommendation, the FCC intends to begin the actual reduction of intrastate switched access rates to interstate levels in equal increments over a period of time.

3. In Stage Three (2017-20), the FCC will complete “phasing out per-minute rates for the origination and termination of telecommunications traffic.”

The FCC also intends to transition all high-cost universal support to broadband support under its Connect America Fund. If the FCC is pressing for increased broadband deployment to support the new paradigm of telecommunications, it makes little sense for the Commission to reform the AUSF to increase funding for outdated legacy switched service.

Finally, the FCC is moving forward rapidly in implementing the recommendations of the Plan. Indeed, the most recent FCC Key Broadband Action Agenda Items indicates that Notices of Proposed Rulemakings will be issued in the Fourth Quarter of 2010 for Intercarrier Compensation, USF Transformation and USF Contributions.

B. Lack of Compelling Need for Immediate Arizona-Specific Reform.

The record here does not provide any compelling reason to expend scarce Commission resources in addressing access charge reform at this time. The IXCs assert that reduced access charges will eventually lead to reduced intrastate long distance rates. However, even the IXCs acknowledge that it will take some period of time before access charge reductions are reflected in those rates. Moreover, given the due process requirements and the nature of rulemaking, the ACC is unlikely to be able to require reductions in access in an earlier timeframe than the FCC is currently pursuing under the NBP. Thus, any specific access charge reform required by this Commission likely would lag the FCC-mandated access charge reductions. And any consumer

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6 NBP at 149 (Recommendation 8.11).
7 NBP at 150 (Recommendation 8.14).
8 NBP at 140-42.
9 A copy of the Proposed 2010 Key Broadband Action Agenda Items is attached at Appendix A.
10 Tr. (Aron) at 298-99.
benefits from this Commission’s actions would trail even further behind.

It is also doubtful whether a reduction in access charges would have any material beneficial impact on Arizona consumers. There has already been a shift in consumer behavior to other forms of communication such as wireless and/or VoIP technology and access lines and minutes of use are declining. Access charges historically have been used to maintain the overall cost of the carriers’ network. Because of the migration toward other communication methods, there are now fewer customers to cover the cost of the network. As a result, the remaining consumers will ultimately pay higher rates in order for LECs to adequately maintain their networks – even without any access charge reductions. Reducing access charges will only exacerbate the dilemma of maintaining a competitive network. Although reductions in access revenue for price cap ILECs and CLECs can be mitigated by a combination of increases in FCC-authorized Subscriber Line Charge (“SLC”) and other end user rates, consumers will end up paying more while IXCs reap the benefits of the access charge reductions.

However, the mitigation of revenue will result in increased customer costs without any guarantee that the IXCs will pass through the corresponding access charge reductions. As noted above, the IXCs acknowledge that it will take some time before the reduced access charges begin to be reflected in retail long distance rates given the current pricing structure and other factors. And the IXCs have resisted any requirement to provide proof of the pass-through.

C. Potential Inconsistent or Contrary Results.

It is questionable public policy to implement access reform at the state level in isolation without a national federal reform framework – particularly when that national framework is being developed. One of the most pressing problems in intercarrier compensation is the active arbitrage by some carriers between interstate access, intrastate access and reciprocal compensation. Only

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11 Ex. Cox-1 (Garrett Direct) at 4.
12 Ex. Cox-1 (Garrett Direct) at 4.
13 Ex. Cox-1 (Garrett Direct) at 4.
14 Ex. Cox-1 (Garrett Direct) at 4.
15 Ex. Cox-1 (Garrett Direct) at 4.
16 Ex. Cox-1 (Garrett Direct) at 5.
by rationalizing rates under a national framework can this arbitrage be curtailed over time.\textsuperscript{17}

Changing rates in one jurisdiction will likely have no effect on the rates Arizona consumers pay, and will only serve to encourage the arbitrageurs to shift strategy to account for any lower rates available.\textsuperscript{18}

Moreover, the direction the FCC has set through the NBP for interstate access charges, intercarrier compensation, subscriber line charges and forward-looking federal USF support will swamp any state specific attempts to reform the system piecemeal.\textsuperscript{19} This type of reform cannot be successful on a state-by-state basis, especially with the development of new forms of competition (e.g.

VoIP) and the growing breakdown of traditional jurisdictional lines that used to neatly determine the jurisdiction of a call using telephone numbers.\textsuperscript{20} The now widespread practice of assigning telephone numbers to consumers from their choice of area codes, rather than the available codes where they live or work is but one example of why state-specific reform is bound to be frustrated outside of a national restructuring of intercarrier compensation and universal service support.\textsuperscript{21}

By conducting a state specific docket, the Commission risks adopting a plan that does not parallel the federal scheme, resulting with the expense of time and resources by the parties that will ultimately have to go back and modify any adopted state plan to mirror the federal framework. This does not appear to be the best use of scarce resources of the participants, including Commission staff, at this time.

\section*{II. Procedural Issues Regarding Access Charge Reform.}

Assuming the Commission presses forward in the face of the ongoing and active federal reform process, there are due process and legal requirements that must be met before access charges can be reduced. The professed goal of intrastate access charge reform is to \textit{reduce} the

\textsuperscript{17} Ex. Cox-1 (Garrett Direct) at 5.
\textsuperscript{18} Ex. Cox-1 (Garrett Direct) at 5.
\textsuperscript{19} Ex. Cox-1 (Garrett Direct) at 6.
\textsuperscript{20} Ex. Cox-1 (Garrett Direct) at 6.
\textsuperscript{21} Ex. Cox-1 (Garrett Direct) at 6.
current intrastate access charge rates. At a minimum, the Commission should provide all affected
carriers appropriate notice and opportunity to be heard if it is going to reduce the carriers’
intrastate access charges. It also needs to ensure that new access charge rates are not confiscatory
for a particular carrier. These generic dockets are an insufficient process for actually reducing
rates.

A. Reduction of Rates Requires Certain Process and Procedures.

Arizona courts have held that, while a rate decision is legislative in nature, “the process
and procedures through which the Commission gathers and considers information or evidence
leading to that decision through its hearings is quasi-judicial in character, and cannot be analogized
to the legislative process . . . .” See State ex. rel. Corbin v. Ariz. Corp. Comm’n, 143 Ariz. 219,
223-24, 693 P.2d 362, 366-67 (App. 1984). The courts have further acknowledged that utilities
must be afforded due process protections when a ratemaking body determines the utility’s rates.
1174 (App. 2001); Simms v. Round Valley Light & Power Co., 80 Ariz. 145, 149, 294 P.2d 378,
380 (1956).

The reduction of a regulated carrier’s access charge rate is a ratemaking decision. If the
Commission intends to reduce access charge rates, an Arizona utility must have a full opportunity
to prove that the new rate is unjust, unreasonable or confiscatory. Moreover, a simple rulemaking
proceeding to address access charge reductions may not satisfy the Constitutional requirements
unless affected parties have an opportunity to seek a hearing on its specific circumstances.

B. Notice and Opportunity to be Heard for Affected Parties.

Access charge reform ultimately is intended to impact all carriers in Arizona that charge for
intrastate switched access. If the Commission intends to reduce all intrastate access charge rates, it
must provide clear notice to all affected parties as to what those reductions will be. Here, the
Commission is only “investigating” the cost of telecommunications access. Indeed, the stated
purpose of this phase of the docket is to “allow the Commission to consider and make policy
determinations that may give rise to a rulemaking process and/or carrier specific proceedings.”

Access charges cannot be reduced in these dockets – certainly not at this point. Not all of the affected carriers are parties to the generic, investigatory docket on access charges. At this point, the Commission has not set forth a specific proposal for intrastate access charges. Once the Commission has decided how to proceed on access charge reform, it can provide notice to all affected carriers. A rulemaking may satisfy this notice and opportunity to be heard, provided other due process and constitutional requirements are satisfied by the proposed rules, as addressed above.

III. **Appropriate Policies for Access Charge Reform.**

Assuming the Commission presses forward in the face of the ongoing federal reform process, there are certain key elements that should shape any specific access charge reform. The Commission should direct that subsequent rule makings or other proceedings incorporate these elements.

A. **Transition Period for New Rates.**

Any access charge reform requires a transition period before new rates become effective. The length of the transition is dependent on the scope of any reduction in the access charge rates. Carriers need sufficient time to modify business plans, meet existing contractual obligations and replace lost revenues.22 Indeed, the FCC provided for a transition period when it capped CLEC interstate access rates and other states have included transition periods in adopting intrastate access reform.23 The NBP includes a transitional “glide path” for its intrastate access charge reform as well.24

B. **Opportunity to Prove Rates for Specific Carrier.**

Should the Commission propose reducing CLEC intrastate access charge rates to Qwest’s intrastate access charge rate (or to some other default rate), each CLEC should have an opportunity

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22 Ex. Cox-2 (Garrett Reply) at 4.
23 Ex. Cox-2 (Garrett Reply) at 4.
24 NBP at 148-150
to prove a different intrastate rate is appropriate for that CLEC based on its specific circumstances. Different carriers have different network facilities and operations. A mandatory default rate based on Qwest’s rate is arbitrary and may be confiscatory. To avoid such potential flaws, the Commission should provide a process for any CLEC that does not want to use the default or capped intrastate access rate. However, this process should be sufficiently streamlined to avoid extended, resource intensive proceedings that are not practical for many CLECs.

One option would be a process by which CLECs could obtain intrastate access rates that vary in structure and that could be set at a reasonable level above the ILEC’s rate. For example, the California Public Utilities Commission adopted a CLEC intrastate access rate cap at the ILEC rate + 10%, with a transition plan of more than one year to reach that rate (see CPUC D07-12-020, adopted December 10, 2007). Although Staff offers up the potential for a carrier to file information demonstrating that it experiences higher costs of providing switch access services than the ILEC in hope of getting a higher rate, that option would be a resource intensive and lengthy option that is not practical for many CLECs. However, setting a cap with flexibility to establish rates modestly above the ILEC would recognize the differences in CLEC networks and costs, while avoiding the costly and likely contentious examination of individual CLEC costs. Allowing modes of rate variation could also reduce the effect of switched access reform on retail rates paid by Arizona consumers.

C. Opportunity to Replace Lost Revenue.

CLECs such as Cox have made substantial investments in Arizona to provide sustainable facilities-based competition that has brought tremendous benefits to Arizona consumers in both choice and quality of services, and reduced rates due to vigorous competition. Access revenues are an important part of CLEC business plans and caution needs to be exercised to ensure that a

25 Ex. Cox-2 (Garrett Reply) at 6.
26 Ex. S-1 (Shand Direct) at 11.
27 Ex. Cox-2 (Garrett Reply) at 6.
28 Ex. Cox-2 (Garrett Reply) at 6.
viable CLEC market continues.\textsuperscript{29}

Given the importance of access charge revenues on CLEC business plans, access charge reform also should be designed to facilitate the opportunity to increase other sources of revenues. Reductions in access revenue for CLECs may be mitigated by a combination of increases in FCC-authorized Subscriber Line Charge ("SLC"), impositions of a state SLC or increases in other end user rates.\textsuperscript{30}

Presently, there are hurdles that prevent CLECs from simply raising retail rates, even beyond the competitive restrictions.\textsuperscript{31} For example, Cox’s rates in its tariffs are essentially “capped” at this time because they are at (or close to) the maximum rates established in the tariffs.\textsuperscript{32} Although Cox in theory has the flexibility to raise rates up to the allowable maximum rates without future Commission action, Cox is already charging the maximum rate for many of Cox’s services.\textsuperscript{33} It has been Cox’s experience that raising maximum rates in its tariff is often a slow and difficult process.\textsuperscript{34} This process suggests the need for both a transition period and for some allowance for increasing maximum rates in a timely manner. A provision in any type of access reform must permit carriers like Cox to increase the maximum rates currently in its approved tariff should any mandated reduction in intrastate access be approved, at least to levels necessary to recover the lost revenues.

Finally, to the extent that the AUSF rules are amended to provide a source of replacement revenues for lost access charge revenues, any access charge reductions should not be imposed until the AUSF rulemaking is completed. Without proper timing, there will be a gap between lost access charge revenues and the availability of replacement revenues under the AUSF.

\textsuperscript{29} Ex. Cox-2 (Garrett Reply) at 6.
\textsuperscript{30} Ex. Cox-1 (Garrett Direct) at 4, 9.
\textsuperscript{31} Ex. Cox-2 (Garrett Reply) at 5.
\textsuperscript{32} Ex. Cox-2 (Garrett Reply) at 5.
\textsuperscript{33} Ex. Cox-2 (Garrett Reply) at 5.
\textsuperscript{34} Ex. Cox-2 (Garrett Reply) at 5.
D. Ensure Access Charge Reductions Benefit Customers.

Access charge reform is meaningless unless there is a clear benefit to end user customers. The current intrastate access charge paradigm has provided significant revenues to support competition and expanded infrastructure in Arizona.35 If those benefits are to be diminished, then there must be other, comparable benefits from access charge reform. Moreover, given that carriers should have an opportunity to replace any lost access revenues, it is critical that end users customers receive benefit from access charge reform. If not, then end user customers may end up paying more as a result of the reform and the IXC s will enjoy a windfall from their reduced expenses.

The record in this case raises significant concerns over whether the Commission will be able to ensure that access charge reform will benefit consumers. Even the IXC s acknowledge that intrastate access charge reductions will not be immediately passed through to consumers.36 The IXC s are also fairly cryptic as to how and when (if ever) all Arizona consumers will see material benefits from access charge reform.37 AT&T further explains that any monitoring of their decision to pass through access charge reductions to their customers would be very difficult – if not impossible, or at least impractical and potentially ineffective.38 As a result, access charge reform is not likely in the public interest, particularly given the benefits that have resulted from the current intrastate access charge structure.

E. Address Rural LEC Access Rates First.

Any access reform is necessarily complicated. It is further complicated if the Commission attempts to reform rates for disparate groups with significantly different circumstances. In order to be effective, any plan that addresses access reform should cover all carriers eventually. However, the Commission should address rural ILECs first and then address large ILECs and CLECs in a

35 Ex. Cox-1 (Garrett Direct) at 4; Ex. Cox-2 (Garrett Reply) at 6.
36 Tr. (Aron) at 298-99.
37 See, e.g., Tr. (Aron) at 299-301 (discussing how AT&T will reduce “connection fee” for some consumers).
38 See Tr. (Aron) at 301-03.
later stage of this proceeding. Rural carriers have stated that they are under the most pressure from loss of current intrastate access revenues, and thus addressing this segment first would prioritize the timing of those concerns over other carriers and be a more beneficial use of Commission resources. Moreover, many of the rural carriers who are party to these proceedings are looking at recovering some lost access revenue from the AUSF. These issues must be analyzed by the Commission to ensure that carriers are not over burdening the AUSF and that surcharges remain fair and affordable for Arizona telephone subscribers. The appropriate way to address these complex issues is to look at the rural ILECs first by reviewing their rate structures to ensure that rate re-balancing results in relief for the rural carriers on access revenue, but does not un-duly enlarge the AUSF to the point where surcharges paid by non-rural telephone subscribers becomes an unfair burden. Indeed, the reform issues for rural ILECs, including the interplay with the AUSF, was the focus of Commission Staff’s testimony.\textsuperscript{39}

Rural providers have different issues and concerns than CLECs and mixing the two may delay appropriate reform for rural access charges. Any rulemaking could provide shorter timelines for rural carriers than for CLECs.

F. Carriers should be permitted to contract for access rates that differ from their tariffed rates.

Carriers should be able to contract for access rates that differ from their tariffed rates if the carrier’s tariff contemplates such arrangements. Cox’s Arizona access tariff (Section 6.1) contains such a clause.\textsuperscript{40} As long as there is no unreasonable discrimination between similarly situated access customers of a given carrier, this practice should continue to be permitted. Cox does not oppose Staff’s recommendation that future switched access service agreements with IXCs or other providers should be filed at the Commission. However, additional clarity surrounding the confidentiality of certain sensitive information in any agreements is needed. If such agreements must be filed, the carrier should be allowed to redact customer information and the actual dollar

\textsuperscript{39} See Ex. S-1 (Shand Direct).

\textsuperscript{40} Ex. Cox-1 (Garrett Direct) at 8.
amounts of the contract, as well as any specific service addresses and any non-jurisdictional services that may be included in the agreement. The essential terms of such agreements can be filed publicly to ensure no unreasonable discrimination among similarly situated customers, thus allowing a similarly situated provider to learn of the existence of agreements.

IV. Appropriate Policies for AUSF Reform.

The Commission should carefully weigh the consequences, both for Arizona consumers and for telephone competition in the state of adjusting access rates down for all carriers, yet allowing only some classes of carrier to recover “lost” revenue from the Arizona Universal Service Fund. Such an approach will inevitably distort competition, and risks considerably higher USF surcharges paid by Arizona consumers in return for little or no reduction in long distance charges by IXCs.\textsuperscript{41} Any modification to the methodology for funding the AUSF also must be reviewed carefully to ensure that no particular class of customers or carriers is bearing an undue burden, and the Commission should provide appropriate notice and opportunities for affected parties and customers to make known their proposals and rationale for any modifications, as well as have opportunity to respond to the specific proposals of others. Equitable allocation of AUSF costs is a key element to any AUSF reform.

Conclusion

Cox believes it is both premature and unnecessary for the Commission to expend further resources on intrastate access charge reform in light of the ongoing FCC activity regarding intercarrier compensation and universal service.

\textsuperscript{41} Ex. Cox-1 (Garrett Direct) at 5.
RESPECTFULLY SUBMITTED this 9th day of July 2010.

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APPENDIX

“A”
### Proposed 2010 Key Broadband Action Agenda Items*

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<th>Promote World-Leading Mobile Broadband Infrastructure and Innovation</th>
<th>Q2 2010 (CY)</th>
<th>Q3 2010 (CY)</th>
<th>Q4 2010 (CY)</th>
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<tbody>
<tr>
<td>Mobile Roaming Order and FNPRM (WTB)</td>
<td>AWS Bands Analysis (WTB, OET)</td>
<td>AWS Potential Order (WTB, OET)</td>
<td>Secondary Markets Internal Review (WTB)</td>
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<tr>
<td>Launch Strategic Spectrum Plan and Triennial Assessment (WTB, OET, OSP)</td>
<td>Spectrum Sharing/Wireless Backhaul NPRM/NOI (WTB, OET)</td>
<td>Oppor. Use of Spectrum NPRM (OET, WTB, IB, MB, PSGB)</td>
<td>Spectrum Dashboard 2.0 (WTB, OET, PSGB, MB, IB)</td>
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<td>2.3 GHz WCS/SDARS Order (OET, WTB, IB)</td>
<td>TV White Spaces Opinion &amp; Order (OET, MB, WTB)</td>
<td>MSS NPRM (OET, IB, WTB)</td>
<td>Recommendation re: Contiguous Unlicensed Spectrum Proceeding (OET, WTB)</td>
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<td>Broadcast TV Spectrum Innovation NPRM (OET, MB, WTB)</td>
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<td>Experimental Licensing NPRM (OET)</td>
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| Accelerate Universal Broadband Access and Adoption | | | | |
|---|---|---|---|
| USF Reform NPRM and NOI (WCB, WTB) | Hearing Aid Comp.: Second Report & Order/FNPRM (WTB, OET, GCB) | Mobility Fund NPRM (WTB, WCB) | Spectrum on Tribal Lands NPRM (WTB, CGB) |
| Lifeline/Low-Income Joint Board Referral Order (WCB, WTB) | Rural Health Care Reform NPRM (WCB) | E-Rate FY2011 Order (WCB) | |
| E-Rate FY2011 NPRM (WCB) | Lifeline Flexibility NPRM (WCB, WTB) | | |
| USF Merger Commitments Order (WCB, WTB) | Establish Accessibility and Innovation Forum (CGB, WCB, WTB) | | |
| Lifeline Pilot Roundtable (WCB, WTB) | Real-Time Text NOI (CGB, WCB, WTB, OET) | | |
| FCC/FAA Workshop and PN on Converged Devices (OET) | Internet Video and Device Accessibility NOI (CGB, WCB, WTB, MB) | | |
| Launch FCC Office of Native American Affairs (CGB) | | | |
| FCC-Native Nations Broadband Task Force (CGB) | | | |

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<tr>
<th>Foster Competition and Maximize Consumer Benefits Across the Broadband Ecosystem</th>
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<tbody>
<tr>
<td>Mobile Wireless Competition Report (WTB, OSP)</td>
<td>Interconnection Clarification Order (WCB)</td>
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<td>Pole Attachments Order and FNPRM (WCB)</td>
<td>Rights-of-Way Task Force (CGB, WCB)</td>
<td>Special Access NPRM (WCB, WTB, OSP)</td>
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<td>Small Business Broadband &amp; Wholesale Comp. PN (WCB)</td>
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<tr>
<td>CableCARD NPRM (MB, OET)</td>
<td>Special Access Workshop (WCB, WTB, OSP)</td>
<td>Transparency &amp; Disclosure NPRM (CGB, WCB, WTB, OET)</td>
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<td>Smart Video Devices NOI (MB, OET)</td>
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<td>Launch Tech. Adv. Grp. on Speed &amp; Perf. (CGB, OET, WCB)</td>
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<td>Launch Speed and Performance Measurement Program (CGB, WTB, WGE, OET)</td>
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<th>Advance Robust and Secure Public Safety Communications Networks</th>
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<tr>
<td>Public Safety Roaming &amp; Priority Access NPRM (WTB, PSGB)</td>
<td>D Block Order/NPRM (WTB, PSGB) [Also in Mobile]</td>
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<td>700 MHz Waiver Petitions (PSGB, WTB, OET)</td>
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<td>NG 911 NOI (PSGB, OET, WCB, WTB)</td>
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<td>ERIC Public Safety Interoperability Order (PSGB)</td>
<td>700 MHz Public Safety Order/FNPRM (PSGB, WTB, OET)</td>
<td>Back-Up Power NOI (PSGB, OET, WTB)</td>
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<td>Cybersecurity Certification NOI (PSGB, WTB, OET, WCB)</td>
<td>Location Accuracy FNPRM (PSGB, OET, WTB)</td>
<td>Serv. Outage &amp; Homeland Security Workshop (PSGB, OET, WCB, WTB, IB)</td>
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<td>Survivability NOI (PSGB, OET, WTB, WCB)</td>
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* This document reflects only proposed FCC actions, not those of other government agencies, and is not exhaustive of all 2010 FCC actions. The location and timing of actions in this document represents a series of targets that may be adjusted to respond to changing conditions as appropriate, items that span quarters are expected to occur late in the earlier quarter, or early in the later quarter. Does not include initiatives discussed in Agenda from Q1 2010 and earlier (E-rate Community Use Order, Rural Health Care Pilot Program Extension Order, Spectrum Dashboard Beta, and Tower Siting Declaratory Ruling).

[www.broadband.gov/plan/chart-of-key-broadband-action-agenda-items.pdf](http://www.broadband.gov/plan/chart-of-key-broadband-action-agenda-items.pdf)