

ATTACHMENT 3

**Excerpt from Transcript of Arizona Procedural
Conference Regarding Protective Order**

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION)	DOCKET NOS.
OF DIECA COMMUNICATIONS DBA COVAD)	T-03632A-06-0091
COMMUNICATIONS COMPANY, ESCHELON)	T-03267A-06-0091
TELECOM OF ARIZONA, INC.,)	T-04302A-06-0091
MCLEODUSA TELECOMMUNICATIONS)	T-03406A-06-0091
SERVICES, INC., MOUNTAIN)	T-03432A-06-0091
TELECOMMUNICATIONS, INC., XO)	T-01051B-05-0091
COMMUNICATIONS SERVICES, INC. AND)	
QWEST CORPORATION'S REQUEST FOR)	
COMMISSION PROCESS TO ADDRESS KEY)	
UNE ISSUES ARISING FROM TRIENNIAL)	
REVIEW REMAND ORDER, INCLUDING)	
APPROVAL OF QWEST WIRE CENTER)	
LISTS.)	PROCEDURAL
)	CONFERENCE

At: Phoenix, Arizona
Date: July 19, 2007
Filed:

REPORTER'S TRANSCRIPT OF PROCEEDINGS

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<p>1 trying to respond to Mr. Curtright's concern. 2 MR. CURTRIGHT: A point which I now regret 3 raising. 4 ACALJ NODES: Okay. I think we can deal with it 5 as long as everyone identifies the information in the 6 proper manner. So why don't we for talking purposes in 7 future filings do the best you can identifying it as the 8 2007 additions, and we'll tentatively label it as 9 Phase II. 10 MR. CURTRIGHT: Point of clarification, then, 11 Judge Nodes. In Phase I, we had a service list that was, 12 if I may say, skinned down. We asked the very large mass 13 of service-listed people, if you recall, whether or not 14 they wished to actively receive documents, and a small 15 number of participants replied affirmatively. And we've 16 been carrying them forward on our mailing list for service 17 and that sort of thing since then. 18 Would it be safe to assume that we will continue 19 to use that same service list that we currently have for 20 Phase II? My thought is that those people have been on 21 notice about the issues, and particularly since this is 22 now in the same docket, they know the same number to check 23 if they do want to become re-involved. 24 ACALJ NODES: That would be my inclination, but 25 let me ask the other parties if they have any different</p>	<p>1 more of a Qwest issue. And if they're satisfied with the 2 current list, that's fine with us. 3 MR. CURTRIGHT: We're satisfied. 4 ACALJ NODES: Okay. And I think as Mr. Curtright 5 indicated, I mean, given that this is -- and this probably 6 reinforces the idea that we should maintain this same 7 docket open for this additional phase. That if people are 8 checking who have been following the proceeding and have 9 an interest in it, that they'll be able to see what the 10 subsequent information is and basically what is going on 11 in the proceeding. 12 So, you know, we previously gave everyone an 13 opportunity to be included in the service list, and so it 14 seems to me that anyone who didn't so indicate proceeds at 15 their own peril, basically, but that's my thought. 16 MS. CLAUSON: And they just may be proceeding in 17 another venue -- 18 ACALJ NODES: Could you repeat that, Ms. Clauson? 19 MS. CLAUSON: Yes. They simply may be proceeding 20 in another venue such as their own IC arbitration, for 21 example. 22 ACALJ NODES: Their own what arbitration? 23 MS. CLAUSON: I'm sorry. Interconnection 24 agreement. I'm sorry. I have a cold. 25 ACALJ NODES: And we're just trying for the court</p>
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<p>1 thoughts. 2 Ms. Scott, do you believe that maintaining the 3 current service list of those people who previously 4 affirmatively identified an interest is sufficient? 5 MS. SCOTT: Yes, I believe it is. 6 ACALJ NODES: And Ms. Clauson, you as well? 7 MS. CLAUSON: I just raise there is one point of 8 difference between the Joint CLECs and Qwest, and I don't 9 know if this goes to that or not, and Norm will correct me 10 if I'm wrong. 11 I believe Qwest's position is the settlement 12 agreement should be binding on all CLECs, and the Joint 13 CLECs' position is that it should be binding on just those 14 who signed it. And one of the arguments that they may 15 make relates to who had notice, and I don't know if the 16 next issues will settle how that will work. So I guess 17 depending on where that issue is, it may or may not impact 18 who gets served. 19 ACALJ NODES: Okay. Well, do you have in mind, 20 Ms. Clauson, another -- I mean, a broader group of CLECs 21 who you believe should be given notice of Phase II of this 22 proceeding? 23 MS. CLAUSON: No. Since it's our position that 24 the agreement, you know, applies to those who sign it, the 25 notice issue doesn't affect us so much. I guess that's</p>	<p>1 reporter's sake. She's trying to follow, and it's hard 2 over the phone sometimes to pick up every word clearly, so 3 thanks for repeating it. 4 Okay. Well, I think we've taken care of that 5 issue. Let's move next to the protective order issue. 6 Mr. Curtright, do you want to briefly address that? 7 MR. CURTRIGHT: Yes, Judge Nodes. In the 8 settlement agreement between Qwest and the Joint CLECs, 9 the parties agreed upon a form of protective order which 10 the parties seek to have used in front of the various 11 state commissions for future submissions such as the 2007 12 additions. 13 Qwest, when we filed our application for approval 14 of the 2007 additions, asked the Commission to please 15 issue a protective order based upon that form of order, 16 and it was attached to our filing that we made on June 22. 17 In defense of the protective order that we're 18 proposing, it's one which Qwest and the Joint CLECs have 19 considered. And it, I think, is a matter of significant 20 efficiency for those parties to have the same protective 21 order be used in multiple jurisdictions, and it's economic 22 in that it relieves us of the need to deal with separate 23 protective orders with the nuances that each might have, 24 varying from state to state. 25 So Qwest seeks to have that protective order</p>