

IN THE MATTER OF THE PETITION OF CARBON/EMERY TELCOM RATE CASE,  
DOCKET NO 09-2302-01

JOINT MOTION FOR EXTENSION OF TIME AND WAIVER OF 240 DAY TIME PERIOD

1. Email-Motion for extension and waiver of 240-day time period by petition
2. Response from ALJ Ruben Arredondo to petitioner counsel
3. Reply from petitioner counsel
4. Response from Division of Public Utilities counsel
5. Response from Office of Consumer Services counsel
6. Reply from ALJ Ruben Arredondo to petitioner, DPU and OCS counsel

**Ruben Arredondo - Carbon/Emery Telcom, Inc.**

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**From:** "Kira Slawson" <KiraM@blackburn-stoll.com>  
**To:** "Ruben Arredondo" <RARREDONDO@utah.gov>, "Michael Ginsberg" <mginsberg@utah.gov>  
**Date:** 3/2/2010 2:08 PM  
**Subject:** Carbon/Emery Telcom, Inc.

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①

Judge Arredondo,

Mike Ginsberg and I attempted to call you last week to inquire as to the Public Service Commission's response to a request for extension/waiver of the 240 days in the Carbon/Emery Telcom rate case.

As Mr. Ginsberg indicated on the phone message to you, Carbon/Emery and the Division participated in a day long settlement conference on February 23, 2010. However, the Office of Consumer Services was unable to participate in that conference and we have been unable to schedule a follow up meeting until March 9, 2010 due to scheduling conflicts of the Division and the OCS.

Carbon/Emery's initial testimony is scheduled to be due tomorrow. However, we do not want to incur the costs of filing testimony in the event that we can resolve the rate case by settlement. To that end, we would request that the Commission waive the 240 day requirement and bump the testimony filing deadlines and hearing date as needed.

We would propose that in the event that the parties are unable to resolve the rate case by settlement on March 9, 2010, that Carbon/Emery be given until March 29, 2010 to file its initial testimony. The remainder of the testimony deadlines can be bumped out accordingly to give each party the necessary time to prepare and file testimony.

I have copied Mike Ginsberg on this email. I know you are both busy with the All American Docket, but if we could have quick call on this if needed, I would make myself available. If the Commission is agreeable to the request, we can probably accomplish this via email.

Thank you for your consideration.

Kira M. Slawson  
Blackburn & Stoll, LC  
257 East 200 South, Suite 800  
Salt Lake City, UT 84111-2048  
Phone: (801) 578-3578  
Fax: (801) 578-3579

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 Please consider the natural environment before printing this email message.

**Ruben Arredondo - Re: Carbon/Emery Telcom, Inc.**

**From:** "Kira Slawson" <KiraM@blackburn-stoll.com>  
**To:** "Ruben Arredondo" <rarredondo@utah.gov>  
**Date:** 3/2/2010 4:22 PM  
**Subject:** Re: Carbon/Emery Telcom, Inc.  
**CC:** "Kira Slawson" <KiraM@blackburn-stoll.com>, "Michael Ginsberg" <mginsberg@utah.gov>, "Paul Proctor" <pproctor@utah.gov>

③ Is there anyway of locking in a hearing date as we postpone the testimony? We are suggesting pushing out the testimony by three weeks. Would there be any way of getting a hearing date set for May or June at this time?

Kira M. Slawson  
 Sent from my iPhone

On Mar 2, 2010, at 2:16 PM, "Ruben Arredondo" <rarredondo@utah.gov> wrote:

② Sorry for not getting back to you sooner. I was out of the office last week longer than expected and was only in a few hours yesterday. I don't think your request poses a problem. I will consult with the Commissioners and get back to you. Unless the Commissioners tell me otherwise, I will plan to issue an order suspending the filing of testimony for your client, noting your client waives the 240-day requirement for the PSC to act, and leave the re-setting of filing and hearing dates for a later time, after we are done with the All American matter. I am CC'ing the Division and OCS on this e-mail.

Sincerely yours,

Ruben H. Arredondo  
 Administrative Law Judge/Legal Counsel  
 Public Service Commission of Utah  
 160 E. 300 S., 4th Floor  
 Salt Lake City, Utah 84111  
 Tel: 801-530-6716  
 Fax: 801-530-6796  
 E-mail: [rarredondo@utah.gov](mailto:rarredondo@utah.gov)

>>> "Kira Slawson" <KiraM@blackburn-stoll.com> 3/2/2010 2:08 PM >>>  
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**From:** Michael Ginsberg  
**To:** Arredondo, Ruben; Slawson, Kira  
**CC:** Duncan, William; Proctor, Paul  
**Date:** 3/2/2010 4:30 PM  
**Subject:** Re: Carbon/Emery Telcom, Inc.

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I would not suggest that the ALJ just pick a date, there are significant scheduling issues in May and June in other dockets not being covered by the ALJ and therefore selecting dates will involve those issues;. If you want to suggest some dates to the DPU and OCS we can see how that would fit in, but I suggest at this point the schedule just be vacated and we would work out a new schedule .

>>> "Kira Slawson" <KiraM@blackburn-stoll.com> 3/2/2010 4:21 PM >>>

Is there anyway of locking in a hearing date as we postpone the testimony? We are suggesting pushing out the testimony by three weeks. Would there be any way of getting a hearing date set for May or June at this time?

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 > Ruben H. Arredondo  
 > Administrative Law Judge/Legal Counsel  
 > Public Service Commission of Utah  
 > 160 E. 300 S., 4th Floor  
 > Salt Lake City, Utah 84111  
 > Tel: 801-530-6716  
 > Fax: 801-530-6796  
 > E-mail: [rarredondo@utah.gov](mailto:rarredondo@utah.gov)

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**Ruben Arredondo - Re: Carbon/Emery Telcom, Inc.**

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**From:** Paul Proctor  
**To:** Arredondo, Ruben; Slawson, Kira  
**Date:** 3/2/2010 4:34 PM  
**Subject:** Re: Carbon/Emery Telcom, Inc.  
**CC:** Ginsberg, Michael

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⑤

Mike is correct, May and June are not available.

**Ruben Arredondo - Re: Carbon/Emery Telcom, Inc.**

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**From:** Ruben Arredondo  
**To:** Proctor, Paul; Slawson, Kira  
**Date:** 3/3/2010 8:22 AM  
**Subject:** Re: Carbon/Emery Telcom, Inc.  
**CC:** Ginsberg, Michael

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Dear Kira, Mike and Paul,

If you like you can all contact Julie for a set hearing date if you want something during the next two days. Otherwise, I can schedule a scheduling conference to set the hearing date.

>>> Paul Proctor 3/2/2010 4:34 PM >>>  
Mike is correct, May and June are not available.