

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Petition of Qwest Corporation for Forbearance Pursuant to 47 U.S.C. Section 160(c) in the Denver, Minneapolis-St. Paul, Phoenix, and Seattle Metropolitan Statistical Areas)	WC Docket No. 07-97
)	
)	

**ARIZONA CORPORATION COMMISSION’S REQUEST
FOR EXTENSION OF TIME TO FILE COMMENTS
AND REPLY COMMENTS ON QWEST’S SECOND
PETITION FOR FORBEARANCE**

On March 24, 2009, Qwest Corporation (“Qwest”) filed a petition pursuant to section 10 of the Communications Act of 1934, as amended (“the Act”) requesting that the FCC forbear from applying certain sections of the Act to Qwest in the Phoenix-Metropolitan Statistical Area (“MSA”). The Wireline Competition Bureau (“Bureau”) originally requested comment on Qwest’s second petition for forbearance by August 28, 2009. On August 20, 2009, the Bureau issued a public notice seeking comment on remands by the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit) of the *Verizon 6 MSA Forbearance Order* and the *Qwest 4 MSA Forbearance Order* by September 21, 2009 and reply comment by October 6, 2009. Because the remands by the D.C. Circuit are relevant to the second Qwest Phoenix MSA Petition, the Bureau extended the comment and reply comment dates on that proceeding to September 21, 2009 and October 6, 2009 respectively.

The Arizona Corporation Commission (“Arizona Commission”) derives its authority to regulate telecommunications services from the Arizona Constitution. The

Arizona Commission was an active participant in Qwest's first petition for forbearance in the Phoenix MSA. The Arizona Commission desires to actively participate in this case as well. Qwest's petition may have a significant impact upon the state of competition and the provision of telecommunications services in Arizona.

The Arizona Commission, however, is unable to meet the current deadlines established by the Bureau in this matter and therefore requests an extension of time. The Arizona Commission believes that an extension of time is warranted for three reasons.

First, it is difficult to comment on Qwest's second petition for forbearance while the FCC is still considering the remand of the *Qwest 4 MSA Forbearance Order*. More specifically, an important aspect of the *Qwest 4 MSA Forbearance Order* relevant to this proceeding is being reconsidered by the Commission in the *Qwest MSA Forbearance Order Remand proceeding*. It is difficult to provide meaningful comment in this proceeding without knowing the new test that the FCC intends to utilize. While not a perfect substitute by any means, some understanding of the revised market share tests under consideration in the *Remand proceeding* is necessary to adequately comment on Qwest's petition. This would require that parties have at least the ability to review the comments submitted by parties in the *Qwest 4 MSA Forbearance Order Remand proceeding* before submitting comment in this proceeding.

Second, while the Arizona Commission hopes to file comment in the *Qwest 4 MSA Forbearance Order Remand proceeding*, attempting to file simultaneous comments in both proceedings on the same date is simply impossible given the current workload of the Arizona Commission Staff.

Third, the Arizona Commission is in the process of updating its analysis with respect to Qwest's second petition for forbearance and simply has not received all of the information that it needs to complete its analysis. The Arizona Commission has oversight authority over the provision of telecommunications in the Phoenix MSA, and thus its comments should be of significant benefit to the Commission's analysis of the

issues presented by Qwest's second petition. The Arizona Commission believes that other parties which also have an interest in both proceedings will benefit from the additional time as well.

In light of the above, the Arizona Commission respectfully requests that the deadline for comment on Qwest's second petition for forbearance in the Phoenix MSA be extended to October 26, 2009 and the deadline for reply comment be extended to December 3, 2009. Should the Bureau find these dates unacceptable, the Arizona Commission would request that the Bureau grant the maximum extension of time permissible yet still allow the FCC to meet the statutory deadlines contained in Section 10 of the Act.

WHEREFORE, the Arizona Commission respectfully requests an extension of time to file comments and reply comments in this proceeding consistent with the discussion contained herein.

RESPECTFULLY submitted this 14th day of September, 2009.

/s/ Maureen A. Scott

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