

IN THE  
**SUPREME COURT OF THE STATE OF ARIZONA**

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**US AIRWAYS, INC.**, A DELAWARE CORPORATION,  
*Plaintiff/Appellant/Cross-Appellee,*

*v.*

**QWEST CORPORATION**, A COLORADO CORPORATION,  
*Defendant/Appellee/Cross-Appellant,*

**SKYLINE STEEL, INC.**, AN ARIZONA CORPORATION; **ONE CALL LOCATORS, LTD.**,  
**DBA ELM LOCATING & UTILITY SERVICES**, A MONTANA CORPORATION,  
*Defendants/Appellees.*

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No. CV-16-0027-PR  
Filed November 23, 2016

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Appeal from the Superior Court in Maricopa County  
The Honorable Arthur T. Anderson, Judge  
No. CV2011-001859

Opinion of the Court of Appeals, Division One  
238 Ariz. 413, 361 P.3d 942 (App. 2015)  
**AFFIRMED IN PART, DEPUBLISHED IN PART**

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COUNSEL:

Kevin D. Neal, Jennifer A. Cranston (argued), Liana J. Garcia, Gallagher & Kennedy, P.A., Phoenix, Attorneys for US Airways, Inc.

Rodolfo Parga, Jr., Andrea G. Lovell (argued), Ryley Carlock & Applewhite, PC, Phoenix, Attorneys for Qwest Corporation

John J. Kastner, Jr. (argued), Gust Rosenfeld, P.L.C., Tucson, Attorneys for One Call Locators, Ltd., dba ELM Locating & Utility Services

Meghan H. Grabel, Andrea M. Taylor, Osborn Maledon, Phoenix, Attorneys for Amicus Curiae Arizona Investment Council

Andrew M. Jacobs, Snell & Wilmer, LLP, Tucson, Timothy J. Sabo, W. Danny Green, Snell & Wilmer, LLP, Phoenix, Attorneys for Amici Curiae Tucson Electric Power Company, UNS Electric, Inc., UNS Gas, Inc.

John J. Egbert, Kerry A. Hodges, Jennings, Strouss & Salmon, P.L.C., Phoenix, Attorneys for Amicus Curiae Southwest Gas Corporation

David F. Gaona, Gaona Law Firm, Phoenix, Attorneys for Amicus Curiae Arizona Public Service Company

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PER CURIAM:

¶ 1 We granted review in this case to consider whether the court of appeals erred in holding that (1) Qwest Corporation's tariff(s) limited its liability for service interruption to non-customer US Airways, Inc., and (2) Qwest contractor ELM Locating and Utility Services owed no duty to US Airways. We have jurisdiction under article 6, section 5(3) of the Arizona Constitution and A.R.S. § 12-120.24.

¶ 2 After considering the briefs and oral arguments, the Court affirms the court of appeals' resolution of these issues as set forth in paragraphs 1-30 of its opinion. Although we did not grant review of the issue resolved in paragraphs 31-35 of the opinion, we depublish those paragraphs.