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ARIZONA CORPORATION COMMISSION
UTILITIES DIVISION
1200 W. WASHINGTON STREET
PHOENIX, AZ 85007

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Letter of Non-Compliance

May 03, 2001

Arizona Corporation Commission
DOCKETED

MAY 03 2001

Ms. Patricia Boggs
Maxtel USA, Inc.
436 Lynchburg Avenue
Brookneal, Virginia 24528

DOCKETED BY	VL
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RE: DOCKET NO. T-03956A-00-0904 DECISION NO. 63535

Dear Ms. Boggs:

This notice will inform you that Maxtel USA, Inc. has not met certain compliance requirements ordered by the Commission in the above-referenced Decision. In that Decision, the Commission conditioned approval of the application on Maxtel USA, Inc. filing certain documents with the Commission within a specific time period as described on the attached Compliance Delinquencies Report.

As a result of this non-compliance, the Certificate of Convenience and Necessity did not issue to Maxtel USA, Inc. and is void. If Maxtel USA, Inc. intends to provide service in the future within Arizona, it must either file a new application for a certificate of convenience and necessity or obtain an extension of time to comply from the Commission. If you are requesting an extension of time to comply, your request must be received by the Commission no later than thirty (30) days from the date of this notice. Your request should set forth the reasons why you did not comply with the Commission's Decision and why you should be granted an extension. The Commission will consider your request and issue an Order either granting or denying your request for extension. Address your request for an extension of time to comply to: Docket Control, Arizona Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007. Reference in your request the matters Docket Number and Decision Number.

If you believe this to be in error, or, if I can answer any questions, please contact me at 602-542-0818.

Sincerely,

Patrick C. Williams
Manager, Compliance and Enforcement
Utilities Division

cc: Docket Control, with eleven copies

Compliance Delinquencies Report

Report Date: May 03, 2001

COMPANY: Maxtel USA, Inc.
DOCKET NO. T-03956A-00-0904
DECISION NO. 63535
DECISION DATE: 03/30/2001

COMPLIANCE ACTION: Within 30 days of the effective date of the Commission's Decision, notify the Compliance Section of the Utilities Division of the date the Company will begin or has begun providing service to Arizona customers.

COMPLIANCE DUE DATE: 04/30/2001

COMPLIANCE ACTION: Certificate conditioned on Company filing with the Commission conforming tariffs within 30 days of the effective date of the Commission's Decision.

COMPLIANCE DUE DATE: 04/30/2001
