



BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

MARC SPITZER, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON
KRISTIN K. MAYES

IN THE MATTER OF THE APPLICATION OF
ACCIPTER COMMUNICATIONS, INC. TO
EXTEND ITS CERTIFICATE OF CONVENIENCE
AND NECESSITY IN MARICOPA COUNTY

DOCKET NO. T-02847A-02-0641
WITHDRAWAL OF MOTION TO
CONTINUE HEARING DATE

On September 27, 2004, Accipiter Communications, Inc., ("Accipiter" or "Company") filed a Motion to Continue Hearing Date and Other Dates for Sixty Days (the "Motion to Continue"). Accipiter hereby withdraws its Motion to Continue, and requests that the hearing in this docket set for October 21, 2004, proceed as scheduled, and that all other dates in the Commission's procedural order dated September 17, 2004, remain the same.

RESPECTFULLY submitted this 29th day of September, 2004.

SNELL & WILMER

Jeffrey W. Crockett, Esq.
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Phoenix, Arizona 85004-2202
Attorneys for Accipiter Communications, Inc.

ORIGINAL and thirteen (13) copies
filed with Docket Control this 29th
day of September, 2004.

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1 A COPY of the foregoing was
2 hand-delivered this 29th day of
3 September, 2004, to:
4 Dwight D. Nodes
5 Assistant Chief Administrative Law Judge
6 Hearing Division
7 ARIZONA CORPORATION COMMISSION
8 1200 West Washington Street
9 Phoenix, Arizona 85007
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11 Christopher Kempley, Chief Counsel
12 Legal Division
13 ARIZONA CORPORATION COMMISSION
14 1200 West Washington Street
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17 Ernest Johnson, Director
18 Utilities Division
19 ARIZONA CORPORATION COMMISSION
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21 Phoenix, Arizona 85007
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23 COPY mailed this 29th day of September,
24 2004, to:
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26 Timothy Berg
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