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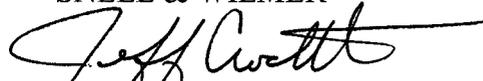
**Re: *In the Matter of the Application of Accipiter Communications, Inc. to Extend its Certificate of Convenience and Necessity in Maricopa County (Docket No. T-02847A-02-0641)***

Ladies and Gentlemen:

On August 22, 2002, I filed the above-referenced application on behalf of my client Accipiter Communications, Inc., for an extension of Accipiter's certificate of convenience and necessity in Maricopa County. On August 29, 2002, Qwest Corporation filed a Motion for Leave to Intervene. Qwest's legal counsel has indicated to me that Qwest may contest the application filed by Accipiter. However, over the past several weeks, Accipiter and Qwest have had communications and one meeting to discuss a possible resolution of the matter. This letter will confirm my previous conversation with staff attorney Maureen Scott and Richard Boyles of the Utilities Division whereby I agreed, on behalf of Accipiter, that the applicable time frames for determining sufficiency and for processing Accipiter's application as set forth in A.A.C. R14-2-510(E) would be tolled until such time as Accipiter and Qwest have had an opportunity to conclude their discussions, and if necessary, Accipiter has notified Commission staff that Accipiter intends to proceed with its application.

Very truly yours,

SNELL & WILMER

  
Jeffrey W. Crockett

JWC/gdb

cc : Richard Boyles  
Maureen Scott, Staff Attorney  
Tim Berg, Esq.  
Rob Richards

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