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INTERVENTION  
LAW OFFICES ORIGINAL  
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A PROFESSIONAL CORPORATION

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February 18, 2004

**BY HAND-DELIVERY**

Dwight D. Nodes  
Administrative Law Judge  
Arizona Corporation Commission  
1200 W. Washington  
Phoenix, Arizona 85007

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2004 FEB 18 P 4: 30  
AZ CORP COMMISSION  
DOCUMENT CONTROL

Re: Qwest's Motion to Intervene  
Docket No. T-02847A-02-0641

Dear Judge Nodes:

On August 22, 2002, Accipiter filed with the Arizona Corporation Commission ("Commission") an Application to: (1) extend its Certificate of Convenience and Necessity ("CC&N") into areas of Maricopa County, (2) to delete that area from Qwest's Metropolitan Exchange Service area, and (3) authorizing Accipiter to charge its existing rates and charges in the new service territory.

On August 29, 2002, Qwest filed a Motion to Intervene in this docket. As of today's date Qwest's Motion has not been granted.

In addition, Qwest and Accipiter met to resolve the issues raised by their Application. Qwest has agreed to transfer four sections of its service area to Accipiter. On December 12, 2003, Qwest filed a response to Accipiter's Application and indicating that the Commission should approve this transfer.

Arizona Corporation Commission  
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We request that you grant Qwest's Motion to Intervene. Thank you for your courtesy in this matter.

Very truly yours,

FENNEMORE CRAIG

Handwritten signature of Timothy Berg, consisting of stylized initials 'TB' followed by a long horizontal stroke.

Timothy Berg

TB/jp

cc:

Docket Control  
Rob Richards  
Jeff Crockett

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