

ORIGINAL  
MEMORANDUM

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AZ CORP COMMISSION  
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TO: Docket Control  
Arizona Corporation Commission

FROM: Patrick C. Williams *ML*  
Manager, Compliance and Enforcement  
Utilities Division

DATE: August 13, 2001

RE: BUSINESS SAVINGS PLAN BY NORSTAR COMMUNICATIONS, DOCKET NO.  
03950A-00-0855, DECISION NO. 63835

On August 6, 2001, Staff filed a copy of a letter it sent to Business Savings Plan by Norstar Communications indicating that its Certificate of Convenience and Necessity was void for its failure to comply. The August 6, 2001, letter was sent to the wrong address. Attached is a copy of a letter Staff sent to Business Savings Plan by Norstar Communications at its correct address.

Originator: Patrick C. Williams

Arizona Corporation Commission

DOCKETED

AUG 13 2001

DOCKETED BY	<i>ML</i>
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ARIZONA CORPORATION COMMISSION

UTILITIES DIVISION  
1200 W. WASHINGTON STREET  
PHOENIX, AZ 85007

Letter of Non-Compliance

August 13, 2001

Mr. Mark Ellis  
Business Savings Plan by Norstar Communications  
18200 VonKarmen Ave., Suite 900  
Irvine, California 92612

RE: DOCKET NO. T-03950A-00-0855      DECISION NO. 63835

Dear Mr. Ellis:

This notice will inform you that Business Savings Plan by Norstar Communications 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 Business Savings Plan by Norstar Communications 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 Business Savings Plan by Norstar Communications and is void. If Business Savings Plan by Norstar Communications 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 Docket Number and Decision Number for this matter.

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: August 13, 2001

**COMPANY:** Business Savings Plan by Norstar Communications  
**DOCKET NO.** T-03950A-00-0855  
**DECISION NO.** 63835  
**DECISION DATE:** 06/28/2001

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**COMPLIANCE ACTION:** Certificate of Convenience and Necessity approved subject to the Company filing conforming tariffs within 30 days of the effective date of the Commission's Decision in accordance with the Decision.

**COMPLIANCE DUE DATE:** 07/30/2001

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

**COMPLIANCE DUE DATE:** 07/30/2001

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