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Arizona Corporation Commission
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BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

IN THE MATTER OF THE APPLICATION OF LOCAL TELCOM HOLDINGS, LLC D/B/A TRANSPOINT COMMUNICATIONS FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE COMPETITIVE RESOLD INTEREXCHANGE TELECOMMUNICATIONS SERVICES, EXCEPT LOCAL EXCHANGE SERVICES

DOCKET NO. T-03990A-01-0117

PROCEDURAL ORDER

BY THE COMMISSION:

On February 8, 2001, Local Telcom Holdings, LLC d/b/a Transpoint Communications ("LTH" or "Applicant") filed with Docket Control of the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide competitive resold interexchange telecommunications services, except local exchange services, within the State of Arizona.

On March 2, 2001, Commission Staff ("Staff") filed a Staff Report recommending approval of Toledo's application subject to a number of conditions.

Pursuant to Commission rules, Applicant is required to publish notice of its filing in newspapers in all counties where service is to be provided. The record shows that Applicant has not filed a Notice of Filing Affidavits of Publication that would indicate compliance with the publishing requirement.

Pursuant to A.R.S. § 40-282, the Commission may act on an application for a Certificate to provide resold telecommunications services without a hearing, or with a hearing if one is requested by any party.

Pursuant to Commission rules, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that Local Telcom Holdings, LLC d/b/a Transpoint Communications shall file written exceptions to the Staff Report or request that a hearing be set by

June 29, 2001.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-2-105, except that all motions to intervene must be filed on or before June 29, 2001.

IT IS FURTHER ORDERED that Toledo shall publish notice, as stated below, in newspapers in every county in Arizona in which Local Telcom Holdings, LLC d/b/a Transpoint Communications desires to provide service by **June 1, 2001**:

NOTICE OF APPLICATION FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE COMPETITIVE RESOLD INTEREXCHANGE TELECOMMUNICATIONS SERVICES BY LOCAL TELCOM HOLDING, LLC D/B/A TRANSPOINT COMMUNICATIONS

Local Telcom Holdings, LLC d/b/a Transpoint Communications ("Applicant") has filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide competitive resold interexchange telecommunications services, except local exchange services, in the State of Arizona. Applicant will be required by the Commission to provide this service under the rates and charges and terms and conditions established by the Commission.

A.R.S. § 40-282 provides that the Commission may act on an application for a Certificate to provide resold telecommunications services without a hearing, or with a hearing, if one is requested by any party. Applicant or any other party must request a hearing by June 29, 2001, or the Commission will rule on the application without a hearing.

The application, report of the Commission's Utilities Division Staff, and any written exceptions to the Staff Report prepared by the applicant are available for inspection during regular business hours at the offices of the Commission located at 1200 West Washington Street, Phoenix, Arizona 85007, and at Applicant, [address].

Under appropriate circumstances, interested parties may intervene in the proceedings and participate as a party. Intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before June 29, 2001. You may have the right to intervene in the proceeding, or you may make a statement for the record. If you have any comments, mail them to:

The Arizona Corporation Commission
Attention Docket Control
re: Local Telcom Holdings, LLC d/b/a Transpoint Communications
T-03990A-01-0117
1200 West Washington Street
Phoenix, Arizona 85007

All comments should be received by June 29, 2001.

If you have any questions about this application or have any objections to its approval, you may contact the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

The Commission does not discriminate on the basis of disability in admission to

its public meetings. Persons with a disability may request a reasonable accommodations such as sign language interpreter, as well as request this document in an alternative format, by contacting Shelly Hood, ADA Coordinator, voice phone number 602/542-0838, E-Mail shood@cc.state.az.us. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that Local Telcom Holdings, LLC d/b/a Transpoint Communications shall file Affidavits of Publication indicating that it has published notice pursuant to Commission rules by **June 15, 2001**.

IT IS FURTHER ORDERED that the failure of Local Telcom Holdings, LLC d/b/a Transpoint Communications to comply with any or all of the Ordering paragraphs set forth in this Procedural Order within the timeframes specified may result in the denial of Local Telcom Holdings, LLC d/b/a Transpoint Communications's application.

IT IS FURTHER ORDERED that the time periods specified herein shall not be extended pursuant to Rule 6(a) or (e) of the Arizona Rules of Civil Procedure.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend or waive any portion of this Procedural Order by subsequent Procedural Order or by ruling at hearing.

DATED this 19th day of March, 2001.

STEPHEN GIBELLI
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed this
19th day of March, 2001 to:

Adam Bir
26565 West Agoura Road, Suite 305
Calabasas, CA 91302

David O. Klein, COO
Telecom Certification and Filing, Inc.
485 Madison Avenue, 15th Floor
New York, NY 10022

Christopher Kempley, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

Deborah Scott, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

By: _____
Molly Johnson
Secretary to Stephen Gibelli