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ARIZONA CORPORATION COMMISSION  
UTILITIES DIVISION  
1200 W. WASHINGTON STREET  
PHOENIX, AZ 85007

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Letter of Non-Compliance

August 09, 2002

Mr. Tim Sefton  
VIVO Communications-AZ, LLC  
600 South Adams, Suite 210  
Birmingham, Michigan 48009

Arizona Corporation Commission  
**DOCKETED**

AUG 09 2002

RE: DOCKET NO. T-03973A-00-1038      DECISION NO. 63923

DOCKETED BY	CAR
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Dear Mr. Sefton:

This notice will inform you that VIVO Communications-AZ, LLC 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 VIVO Communications-AZ, LLC filing certain documents with the Commission within a specific time period as described on the enclosed Compliance Delinquencies Report.

As a result of this non-compliance, the Certificate of Convenience and Necessity did not issue to VIVO Communications-AZ, LLC and is void. If VIVO Communications-AZ, LLC intends to provide service in the future within Arizona, it must file a new application for a certificate of convenience and necessity.

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

enclosure

cc: Docket Control, with eleven copies

# Compliance Delinquencies Report

Report Date: August 09, 2002

**COMPANY:** VIVO Communications-AZ, LLC  
**DOCKET NO.** T-03973A-00-1038  
**DECISION NO.** 63923      **DECISION DATE:** 08/06/2001

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**COMPLIANCE ACTION:** Certificate conditioned on Company procuring a performance bond equal to \$100,000 the earlier of 180 days from the effective date of the Commission's Decision or 30 days prior to the commencement of service.

7-29-02 Procedural Order granted an extension of time to August 6, 2002, with no more extensions.

**COMPLIANCE DUE DATE:** 08/06/2002 OR,

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**COMPLIANCE ACTION:** Certificate conditioned on Company filing, within 30 days of the effective date of the Commission's Decision, a plan to have its customers' telephone numbers included in the incumbent's Directories and Directory Assistance databases.

2-22-02 Procedural Order granted an extension of time to August 6, 2002, or 30 days prior to providing service in Arizona, whichever comes first.

**COMPLIANCE DUE DATE:** 08/06/2002 OR,

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**COMPLIANCE ACTION:** Certificate conditioned on Company certifying, through the 911 service provider in the area in which it intends to provide service, that all issues associated with the provision of 911 service have been resolved with the emergency service providers within 30 days of the effective date of the Commission's Decision.

2-22-02 Procedural Order granted an extension of time to August 6, 2002, or 30 days prior to providing service in Arizona, whichever comes first.

**COMPLIANCE DUE DATE:** 08/06/2002 OR,

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