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

2001 SEP 11 P 2:10

Letter of Non-Compliance

AZ CORP COMMISSION
DOCUMENT CONTROL

September 11, 2001

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

Arizona Corporation Commission
DOCKETED

SEP 11 2001

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

DOCKETED BY 

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 attached 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 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: September 11, 200

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

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.

COMPLIANCE DUE DATE: 09/05/2001

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.

COMPLIANCE DUE DATE: 09/05/2001
