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MEMORANDUM

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2001 OCT 30 P 3 52

AZ CORP COMMISSION
REGULATORY CONTROL

TO: Docket Control
Arizona Corporation Commission

FROM: Ernest Johnson
for Director
Utilities Division

DATE: October 29, 2001

RE: **COMPLIANCE TO DECISION NO. 63927** - REQUEST FOR
EXTENSION OF TIME. (DOCKET NO. T-03991A-01-0125)

On October 26, 2001, Metropolitan Telecommunications of Arizona, Inc. d/b/a MetTel ("MetTel") submitted correspondence requesting an extension of time to comply with two conditions in the decision granting MetTel authority to provide facilities-based and resold local exchange and interexchange telecommunications services (Decision No. 63927). MetTel's CC&N was conditioned on the Company filing a plan to have its customers' telephone numbers included in the incumbent's Directories and Directory Assistance databases. MetTel's CC&N was also conditioned on the 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 an Order in this matter. MetTel is requesting an extension of time until December 4, 2001, to file these compliance items.

On September 11, 2001, the Manager of Compliance and Enforcement sent MetTel correspondence indicating that its CC&N was void due to its non-compliance with certain conditions stated in the Decision granting MetTel authority to provide telecommunications services. MetTel was directed to respond within 30 days from the date of the September 11, 2001, notice. MetTel did not respond within this time frame. However, MetTel notes that its offices are within close proximity of the World Trade Center. MetTel's employees were removed from their offices and were unable to return for several days. Due to the incidents of September 11th, Staff finds MetTel's request reasonable.

Staff recommends that MetTel's request for an extension of time be granted. MetTel should comply with the above two conditions by December 4, 2001.

Originator: Marta Kalleberg

Enc.

Arizona Corporation Commission

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OCT 30 2001

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Service List for: Metropolitan Telecommunications of Arizona, Inc. d/b/a MetTel
Docket No. T-03991A-01-0125

Paul R. Michaud, Esq.
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2712 North Seventh Street
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1200 West Washington Street
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DIRECTOR

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BEFORE THE ARIZONA CORPORATION COMMISSION

2001 OCT 26 P 12:49

WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

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OCT 26 2001

AZ CORP COMMISSION
REGISTRATION CONTROL

Director of Utilities

IN THE MATTER OF THE APPLICATION OF) DOCKET NO. T-039991A-00-1025
METROPOLITAN TELECOMMUNICATIONS)
OF ARIZONA, INC. DBA METTEL FOR A) DECISION NO. 63927
CERTIFICATE OF CONVENIENCE AND)
NECESSITY TO PROVIDE COMPETITIVE)
FACILITIES-BASED AND RESOLD LOCAL) **MOTION FOR EXTENSION**
EXCHANGE, INTEREXCHANGE, AND) **OF TIME FOR COMPLIANCE**
EXCHANGE ACCESS,)
TELECOMMUNICATIONS SERVICES.)

Metropolitan Telecommunications of Arizona, Inc. DBA MetTel ("MetTel") respectfully requests an extension of the deadline for the Company to file certain compliance items under Decision No. 63927 by an additional ninety (90) days. Specific compliance items requiring an extension of time are (1) a plan to have MetTel's Arizona customers' telephone numbers included in the incumbent's Directories and Directory Assistance databases; and (2) documentation showing certification through MetTel's Arizona 911-service providers.

The original deadline under Decision No. 63927 for the compliance items listed above was within thirty (30) days of the Order, which would have been September 5, 2001. Unfortunately, MetTel was unable to meet this deadline because rapid growth in the Company's service areas has temporarily outpaced the Company's staffing resources. The September 11, 2001, bombing of the World Trade Center ("WTC") in New York City has exacerbated this situation. The building where MetTel's corporate headquarters is located is only a few blocks from the WTC. The building was evacuated after the bombing and during

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the collapse of WTC tower two. At least one employee was injured by falling debris.

Employees of MetTel could not return to the building for several days after the WTC attack.

MetTel is now near completion of the required documents and documentation.

Accordingly, MetTel requests until December 4, 2001, to submit to the Commission these compliance items.

RESPECTFULLY SUBMITTED this 26th day of October, 2001.

MARTINEZ & CURTIS, P.C.

By 

Paul R. Michaud, Esq.
2712 North Seventh Street
Phoenix, Arizona 85006-1090
Attorneys for MetTel

Original and ten (10) copies of the foregoing filed this 26th day of October, 2001 with:

Docket Control
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

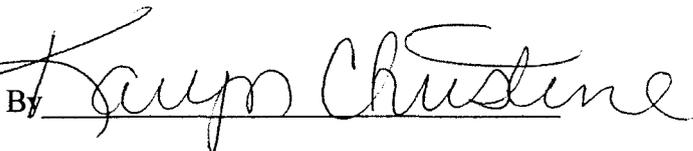
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**Copies of the foregoing hand-delivered
this 26th day of October, 2001 to:**

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

Ernest Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

Dwight D. Nodes, ALJ
Hearing Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

By 

1733/pleadings/request for extension.102501



ORIGINAL

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

2001 SEP 11 A 11: 55

Letter of Non-Compliance

AZ CORP COMMISSION
DOCUMENT CONTROL

September 11, 2001

Mr. Andoni Economou
MetTel
44 Wall Street, 14th Floor
New York, New York 10005

Arizona Corporation Commission
DOCKETED

SEP 11 2001

RE: DOCKET NO. T-03991A-01-0125 DECISION NO. 63927

DOCKETED BY	<i>msc</i>
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Dear Mr. Economou:

This notice will inform you that MetTel 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 MetTel 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 MetTel and is void. If MetTel 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