

EARLY, LENNON, CROCKER & BARTOSIEWICZ, P.L.C.

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2001 OCT 12 P 12:43



OR
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AZ CORP COMMISSION
DOCUMENT CONTROL

OF COUNSEL
VINCENT T. EARLY
THOMPSON BENNETT
JOHN T. PETERS, JR.
JOSEPH J. BURGIE
(1926 - 1992)

October 11, 2001

Patrick Williams
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

Arizona Corporation Commission
DOCKETED

OCT 12 2001

RE: Notice of Noncompliance
EZ Phone, Inc.
d/b/a Home Phone, Inc.
Docket No. T-03927A-00-0679
Decision No. 63994

DOCKETED BY *me*

Dear Mr. Williams:

On or about October 4, 2001, we submitted a request for extension to comply with Decision 63994. With that filing we intended to serve notice upon the Compliance Section of the Company's intention to initiate service on or about December 1, 2001. A copy of the correspondence appears as Exhibit A hereto.

On this date we received a copy of the notice of noncompliance dated October 3, 2001 directed to our client. We respectfully request that the Commission grant our request for extension to comply with Decision 63994 with regard to the compliance deficiency identified in the October 3, 2001 report.

As previously indicated Home Phone, Inc. intends to initiate service December 1, 2001.

Thank you very much for your attention to this matter.

Very truly yours,

EARLY, LENNON, CROCKER & BARTOSIEWICZ, P.L.C.

Patrick D. Crocker
PDC/pas

cc: Dan Coulter
Cherie McGregor

EXHIBIT A

COVER SHEET
ARIZONA CORPORATION COMMISSION
DOCKET CONTROL CENTER

CASE/COMPANY NAME:
EZ Phone, Inc.

DOCKET NO. T-03927A-00-0679

D/B/A or RESPONDENT:
Home Phone, Inc.

NATURE OF ACTION OR DESCRIPTION OF DOCUMENT

Please mark the item that describes the nature of the case/filing:

01 UTILITIES - NEW APPLICATIONS

- | | |
|--|--|
| <input type="checkbox"/> NEW CC&N | <input type="checkbox"/> MAIN EXTENSION |
| <input type="checkbox"/> RATES | <input type="checkbox"/> CONTRACT/AGREEMENTS |
| <input type="checkbox"/> INTERIM RATES | <input type="checkbox"/> COMPLAINT (Formal) |
| <input type="checkbox"/> CANCELLATION OF CC&N | <input type="checkbox"/> RULE VARIANCE/WAIVER REQUEST |
| <input type="checkbox"/> DELETION OF CC&N (TERRITORY) | <input type="checkbox"/> SITING COMMITTEE CASE |
| <input type="checkbox"/> EXTENSION OF CC&N (TERRITORY) | <input type="checkbox"/> SMALL WATER COMPANY -SURCHARGE (Senate Bill 1252) |
| <input type="checkbox"/> TARIFF - NEW (NEXT OPEN MEETING)
REQUEST FOR ARBITRATION | <input type="checkbox"/> SALE OF ASSETS & TRANSFER OF OWNERSHIP |
| <input type="checkbox"/> (Telecommunication Act)
FULLY OR PARTIALLY ARBITRATED
INTERCONNECTION AGREEMENT | <input type="checkbox"/> SALE OF ASSETS & CANCELLATION OF CC&N |
| <input type="checkbox"/> (Telecom. Act.)
VOLUNTARY INTERCONNECTION | <input type="checkbox"/> FUEL ADJUSTER/PGA |
| <input type="checkbox"/> AGREEMENT (Telecom. Act) | <input type="checkbox"/> MERGER |
| | <input type="checkbox"/> FINANCING |
| | <input type="checkbox"/> MISCELLANEOUS |
| | Specify _____ |

02 UTILITIES - REVISIONS/AMENDMENTS TO PENDING OR APPROVED MATTERS

- | | |
|---|--|
| <input type="checkbox"/> APPLICATION
COMPANY _____
DOCKET NO. _____ | <input type="checkbox"/> TARIFF |
| | <input type="checkbox"/> PROMOTIONAL _____
DECISION NO. _____
DOCKET NO. _____ |
| | <input type="checkbox"/> COMPLIANCE _____
DECISION NO. _____
DOCKET NO. _____ |

SECURITIES or MISCELLANEOUS FILINGS

- | | |
|--|--|
| <input type="checkbox"/> 4 AFFIDAVIT | <input type="checkbox"/> 29 STIPULATION |
| <input type="checkbox"/> 12 EXCEPTIONS | <input type="checkbox"/> 38 NOTICE OF INTENT
(Only notification of future action/no action necessary) |
| <input type="checkbox"/> 18 REQUEST FOR INTERVENTION | <input type="checkbox"/> 43 PETITION |
| <input type="checkbox"/> 48 REQUEST FOR HEARING | <input type="checkbox"/> 46 NOTICE OF LIMITED APPEARANCE |
| <input type="checkbox"/> 24 OPPOSITION | OTHER |
| <input type="checkbox"/> 50 COMPLIANCE ITEM FOR APPROVAL | <input checked="" type="checkbox"/> 39 Specify <u>Request for extension of time to file</u>
<u>final tariff</u> |
| <input type="checkbox"/> 32 TESTIMONY | |
| <input type="checkbox"/> 47 COMMENTS | |

10-04-01
Date

EZ Phone, Inc / Patrick D. Crocker, Attorney
Print Name of Applicant/Company/Contact person/Respondent/Atty.

(616) 381-8844
Phone

PLEASE SEE NOTICE ON REVERSE SIDE

EARLY, LENNON, CROCKER & BARTOSIEWICZ, P.L.C.

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DOCUMENT CONTROL

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October 4, 2001

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

DOCKET NO. T-03927A-00-0679

RE: REQUEST FOR EXTENSION OF TIME TO COMPLY WITH DECISION 63994

Dear Sir:

We are the attorneys for EZ Phone, Inc. (hereinafter "EZ Phone"). On September 7, 2000, we filed an Application for a Certificate of Convenience and Necessity to provide competitive resold local exchange service throughout Arizona on behalf of EZ Phone. In Decision 63994 dated August 30, 2001, the Commission granted this application.

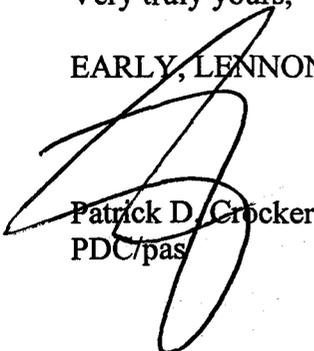
On October 4, 2001 our firm submitted EZ Phone's final tariff pursuant to Decision 63994. This Decision requires that the Applicant file this tariff within 30 days of the effective date of the Decision. For this reason we respectfully file this Request for Extension of Time to Comply with Decision 63994.

EZ Phone intends to initiate service in Arizona on or about December 1, 2001.

Thank you in advance for your professional courtesy in this matter.

Very truly yours,

EARLY, LENNON, CROCKER & BARTOSIEWICZ, P.L.C.



Patrick D. Crocker
PDC/pas