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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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AZ CORP COMMISSION
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6 IN THE MATTER OF THE APPLICATION OF
WESTERN CLEC CORPORATION, FORMERLY
7 ECLIPSE COMMUNICATIONS CORPORATION,
FOR A CERTIFICATE OF CONVENIENCE AND
8 NECESSITY TO PROVIDE COMPETITIVE
FACILITIES-BASED AND RESOLD LOCAL
9 EXCHANGE, INTEREXCHANGE, AND ACCESS
TELECOMMUNICATIONS SERVICES.

DOCKET NO. T-03590A-98-0364

PROCEDURAL ORDER

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11 **BY THE COMMISSION:**

12 On May 4, 2001, the Arizona Corporation Commission ("Commission") issued Decision No.
13 63657 which granted Western CLEC Corporation, formerly Eclipse Communications Corporation
14 ("Western"), a Certificate of Convenience and Necessity ("CC&N") to provide competitive facilities-
15 based and resold local exchange, interexchange, and access telecommunications services in Arizona.

16 Pursuant to Decision No. 63657, Western was ordered to notify the Compliance Section of the
17 Utilities Division of the date the Company will begin or has begun providing service in Arizona and
18 submit proof of a performance bond.

19 On November 21, 2001, Western filed a request for an extension of time to comply with
20 timelines prescribed in the Decision.

21 On January 24 and January 29, 2002, Staff filed memorandums recommending that Western
22 be given a 45 day extension to comply with the Decision. Staff indicated it would recommend denial
23 of any further extensions in this matter.

24 IT IS THEREFORE ORDERED that Western CLEC Corporation, formerly Eclipse
25 Communications Corporation, shall notify the Compliance Section of the Utilities Division of the
26 date that the Company will begin providing service to Arizona customers and shall file proof of its
27 performance bond no later than April 12, 2002 or 30 days prior to providing service in Arizona,
28 whichever occurs first. No additional extensions will be granted and failure to comply with the

1 above-stated conditions will result in voidance of Western CLEC Corporation's, formerly Eclipse
2 Communications Corporation, Certificate of Convenience and Necessity without further order of the
3 Commission.

4 IT IS FURTHER ORDERED in the event that Western CLEC Corporation, formerly Eclipse
5 Communications Corporation, fails to comply with all conditions, thereby resulting in voidance of its
6 Certificate of Convenience and Necessity, a new application for a Certificate of Convenience and
7 Necessity must be filed by Western CLEC Corporation, formerly Eclipse Communications
8 Corporation, and approved by the Commission prior to commencement of service.

9 DATED this 26 day of February, 2002.

10 
11 _____
12 PHILIP J. DION III
ADMINISTRATIVE LAW JUDGE

13 Copies of the foregoing mailed/delivered
14 this 26 day of February, 2002 to:

15 Jeffrey W. Crockett
16 SNELL & WILMER
One Arizona Center
16 Phoenix, AZ 85004-2202

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

20 Ernest G. Johnson, Director
21 Utilities Division
21 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
22 Phoenix, Arizona 85007

23 By: 
24 Molly Johnson
25 Secretary to Philip J. Dion III

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