



0000037316

ORIGINAL

MEMORANDUM

RECEIVED

2002 JAN 29 P 3:44

AZ CORP COMMISSION
DOCUMENT CONTROL

TO: Docket Control
Arizona Corporation Commission

THRU: Matt Rowell *MR*
Chief
Economics and Research

FROM: Ernest G. Johnson *MD/for*
Director
Utilities Division

DATE: January 29, 2002

RE: **COMPLIANCE TO DECISION NO. 64084** – REQUEST FOR
EXTENSION OF TIME. (DOCKET NO. T-03342A-97-0129)

On November 13, 2001, Talk America, Inc. ("Talk") submitted correspondence requesting an extension of time to comply with two conditions in the decision granting Talk authority to provide resold interexchange telecommunications services (Decision No. 64084). Talk's CC&N was conditioned on the Company filing conforming tariffs within 30 days of the effective date of the Commission's Decision. Also Talk needed to notify the Compliance Section of the Utilities Division of the date it will begin or has begun providing service to Arizona customers. Talk did not comply and its CC&N is void. Staff recommends that Talk be granted an extension of 45 days to comply with the order. In addition, Staff recommends that no further extension of time for compliance be granted.

Originator: Anthony Gatto

Enc.

Arizona Corporation Commission
DOCKETED

JAN 29 2002

DOCKETED BY *max*

Service List for: Talk America, Inc.
Docket No. (T-03342A-97-0129)

Connie Wightman
Consultant
210 N. Park Ave.
Winter Park, FL 32790-0200

Mr. Christopher C. Kempley
Chief, Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Mr. Ernest Johnson
Director, Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Ms. Lyn Farmer
Director, Hearing Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007



Gatto
DIRECTOR

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

RECEIVED

2001 NOV -6 P 2:22

Letter of Non-Compliance

November 06, 2001

AZ CORP COMMISSION
DOCUMENT CONTROL
ARIZONA CORPORATION
COMMISSION

RECEIVED
NOV - 6 2001

Ms. Jennifer Holcomb
Talk America, Inc.
6805 Route 202
New Hope, Pennsylvania 18938

RE: DOCKET NO. T-03342A-97-0129 DECISION NO. 64084

Director of Utilities

Dear Ms. Holcomb:

This notice will inform you that Talk America, Inc. 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 Talk America, Inc. 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 Talk America, Inc. and is void. If Talk America, Inc. 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: November 06, 200

COMPANY: Talk America, Inc.

DOCKET NO. T-03342A-97-0129

DECISION NO. 64084

DECISION DATE: 10/04/2001

COMPLIANCE ACTION: Within 30 days of the effective date of the Commission's Decision, notify the Compliance Section of the Utilities Division of the date it will begin or has begun providing service to Arizona customers.

COMPLIANCE DUE DATE: 11/05/2001

COMPLIANCE ACTION: Certificate conditioned on Company filing conforming tariffs with the Commission within 30 days of the effective date of the Commission's Decision.

COMPLIANCE DUE DATE: 11/05/2001
