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

2003 APR 10 A 11: 11

Letter of Non-Compliance

AZ CORP COMMISSION
DOCUMENT CONTROL

April 10, 2003

Arizona Corporation Commission
DOCKETED

Mr. Mirel Jakovlijevic
Gates Communications, Inc.
1100 Olive Way #951
Seattle, Washington 98101

APR 10 2003

RE: DOCKET NO. T-03993A-01-0128 DECISION NO. 64068

DOCKETED BY	<i>CR</i>
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Dear Mr. Jakovlijevic

This notice will inform you that Gates Communications, 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 Gates Communications, 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 Gates Communications, Inc. and is void. If Gates Communications, 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 fifteen copies

Compliance Delinquencies Report

Report Date: April 10, 2003

COMPANY: Gates Communications, Inc.
DOCKET NO. T-03993A-01-0128
DECISION NO. 64068 **DECISION DATE:** 10/4/2001

COMPLIANCE ACTION: Certificate subject to the Company filing in Docket Control the following FVRB information within 18 months of the date it first provides service following certification. The FVRB shall include a dollar amount representing the total revenue for the first twelve months of telecommunications service provided to Arizona customers following certification. The Company shall also file FVRB information detailing the total actual operating expenses for the first twelve months of telecommunications service provided to Arizona customers by the Company following certification. The Company shall also file FVRB information which includes a description and value of all assets, including plant, equipment, and office supplies, used to provide telecommunications service to Arizona customers for the first twelve months following the Company's certification. The Company's failure to meet the condition to timely file sufficient information for a fair value finding and analysis and recommendation of permanent tariffs shall result in the expiration of the Certificate of Convenience and Necessity and the tariffs.

COMPLIANCE DUE DATE: 4/9/2003 **OR,**
