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May 1, 2002

AZ CORP COMMISSION
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Via facsimile at 214.424.1510
and first class mail

Ms. Dana Hoyle
Regulatory Affairs
Excel Telecommunications, Inc.
8750 N. Central Expressway, Ste 2000
Dallas, TX 75231

RE: Staff's **Second** Set of Data Requests to Excel Telecommunications, Inc.
DOCKET NO.: T-02584A-02-0268

Dear Ms. Hoyle:

Please treat this as Staff's **second** set of data requests to Excel Telecommunications, Inc. in the above matter.

For purposes of this data request set, the words "Excel" "you" and "your" refer to Excel Telecommunications, Inc., and any representative, including every person and/or entity acting with, under the control of, or on behalf of Excel. For each answer, please identify by name, title, and address each person providing information that forms the basis for the response provided.

These data requests are continuing, and your answers or any documents supplied in response to these data requests should be supplemented with any additional information or documents that come to your attention after you have provided your initial responses.

Please respond within **ten** calendar days of this letter. Because the answers to the data requests are required to complete your Application, please file the original and 10 copies of your response with the Commission's docket control center. Thank you for your cooperation. If you have any questions, please feel free to contact me at 602.542.3402.

Arizona Corporation Commission

DOCKETED

MAY 01 2002

Very truly yours,

Timothy J. Sabo
Attorney, Legal Division

TSJ:daa

Enclosures

DOCKETED BY	
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cc: Mr. John Bostwick, ACC Utilities Division
Robbin Johnson, Esq., Excel Assistant General Counsel (fax 214.863.8721)
ACC Docket Control Center (w/10 copies)

**In the Matter of the Application and Petition of Excel Telecommunication,
Inc. for a Certificate of Convenience and Necessity to Provide Intrastate
Telecommunications Services**

ACC Docket T-02584A-02-0268

Staff's SECOND set of data requests

- TJS-1 On an ongoing basis, provide copies of all data requests received from any other parties to this proceeding and Excel's response.
- TJS-2 Vartec Telecom, Inc., an affiliate of Excel, has filed a similar application (ACC Docket T-3401A-01-0674). Compare the applications. Describe the differences in business model between Vartec and Excel. Describe the relationship between Vartec Telecom, Inc. and Excel.
- TJS-3 Update the status of the acquisition of Excel by Vartec. A press release on your website indicates that the acquisition has closed.
- TJS-4 Provide an organizational chart showing the relationship between Vartec Telecom, Inc., Vartec Telecom Holding Company, Teleglobe Holdings (U.S.) Corporation, Excel Telecommunications, Inc., Emeritus Communications, Inc., Long Distance Wholesale Club and Excel Communications, Inc. Demonstrate, in the chart, the relationship of Excel to its ultimate corporate parent. Provide appropriate notes and explanations to the chart.
- TJS-5 Your "Attachment A" does not include a Certificate of Good Standing for Arizona, as required by Section A-8 of the application form. Please provide the certificate. Please also provide a certified copy of your articles of incorporation, as amended, pursuant to A.R.S. § 40-282(A). Please provide a Certificate of Good Standing and certified copy of articles of incorporation for your ultimate corporate parent.
- TJS-6 Your application indicated that proof of publication of public notice of the application would be late-filed. Please update the status of your notice to the public.
- TJS-7 Your "Attachment E" indicates that it includes only pending proceedings. Section A-11 of the Application form requires that you provide all complaint proceedings you have been involved in. Provide a revised Attachment E. Also, with regard to item 33 listed on Attachment E, provide copies of all correspondence between you and the Tennessee Attorney General.
- TJS-8 Your "Attachment F" indicates that it includes only pending proceedings. Section A-12 of the Application form requires that you provide all civil or criminal

matters. Provide a revised Attachment F. Also, also provide more information concerning items 3, 5, and 6 listed on Attachment F, including copies of all pleadings, dispositive motions and responses and replies thereto, and all dispositive court orders.

TJS-9

Your letter dated April 9 appears to respond to Section B-4 of the Application form and to supplement Attachment D to your Application. Please clarify if this response indicates that the net book value of your Arizona assets is zero. Please also indicate if you believe that the net book value is your fair value.