



0000045648

THIS AMENDMENT:

ORIGINAL

Passed as amended by \_\_\_\_\_

Not Offered \_\_\_\_\_

RECEIVED

6005

2003 JAN 15 A 10:00

SPITZER PROPOSED AMENDMENT #2 TO AZ CORP COMMISSION UTILITIES DIVISION PROPOSED AMENDMENT # DOCUMENT CONTROL

TIME/DATE PREPARED January 15, 2003, 9:55AM

COMPANY: XO Communications, Inc.

AGENDA ITEM NO. U-2

DOCKET NOS. T-04150A-02-0814, T-03775A-02-0814, and T-03601A-02-0814

OPEN MEETING DATE: January 15, 2003

Page 2, Line 24, after the 8 conditions in Staff Proposed Amendment No. 1, add a new Condition No. 9:

9. In the event that XO, or any of its affiliates files an action in any court challenging this order, the Commission should automatically grant, pursuant to A.R.S. § 40-252, a re-examination of this entire matter, and the Hearing Division should set this matter for a full evidentiary hearing.

Page 4, ADD a new corresponding ordering paragraph as follows:

IT IS THEREFORE ORDERED that if XO, or any of its affiliates files an action in any court challenging this order, the Commission shall automatically grant, pursuant to A.R.S. § 40-252, a re-examination of this entire matter, and the Hearing Division shall set this matter for a full evidentiary hearing.

Arizona Corporation Commission

DOCKETED

JAN 15 2003

DOCKETED BY CAR