



ORIGINAL



0000046223

RECEIVED

2802

2006 APR -3 P 2:37

210 N. Park Ave.
Winter Park, FL
32789

P.O. Drawer 200
Winter Park, FL
32790-0200

Tel: 407-740-8575
Fax: 407-740-0613
tmi@tminc.com

March 31, 2005
Via Overnight Delivery

AZ CORP COMMISSION
DOCUMENT CONTROL

Docket Control Center
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007-2927

**RE: Westel, Inc. - Application and Petition for Certificate of Convenience and Necessity to Provide Intrastate Telecommunications Services
Docket No. T-04307A-05-0112**

Docket Control:

Enclosed for filing are the original and thirteen (13) copies of the response to Staff's Second Set of Data Requests to Westel, Inc. in the above-mentioned docket.

Please acknowledge receipt of this filing by date stamping the extra copy of this cover letter and returning it in the self - addressed, stamped envelope enclosed for this purpose.

Any questions you may have regarding this filing may be directed to me at 407-740-8575 or via email at mbyrnes@tminc.com.

Sincerely,

Monique Byrnes
Consultant to Westel, Inc.

Enclosures

cc: N. Tondre - Westel
file: Westel, AZ
tms: azi0500b

**ARIZONA CORPORATION COMMISSION
STAFF'S SECOND SET OF DATA REQUESTS TO
WESTEL, INC. ("WESTEL")
Docket T-04307A-05-0112**

March 8, 2006

Please make sure each numbered item and each part of the item is answered completely. In order for Staff to continue with its review of this application, the following information must be submitted:

STF 2.1 Please provide a copy of the "correspondence from John Bostwick of the Arizona Staff dated July 20, 2004" referenced in Westel's DR1 response dated March 14, 2005.

The company was originally certificated in Docket No. T-02694A-96-03498, Order No. 65459 issued in December 2002. The order contained language that renders it null and void if all compliance issues are not met.

On February 17, 2005 the company filed a new application which was docketed under T-04307A-05-0112. The company submitted responses to data request from Staff, and published as required in the newspaper. Data request response and affidavit of publication from the Arizona Republic newspaper was provided under the company's newly docketed application docket number on March 14, 2005.

Additional information, labeled Attachment F, was filed on April 20, 2005 in this Docket.

The company filed a tariff a bond on July 13th and on July 20th received correspondence from John Bostwick. It is attached.

STF 2.2 Westel's response to application question (A-17), indicates the use of Grande Communications as an underlying carrier. Please explain in which State(s), Grande Communication is utilized by Westel?

As stated in the company's response to Staff's first set of data requests in Docket T-04307A-05-0112, the company operates in Colorado, Kansas, Missouri, New Mexico, Oklahoma and Texas. The company uses Grande Communications as its underlying carrier in all states as an overflow carrier where the company has not leased sufficient trunks. The company has sufficient trunks in Arizona from the LECs and does not use Grande to terminate intrastate traffic in the State of Arizona.

November 22, 2005

Page 4

**ARIZONA CORPORATION COMMISSION
STAFF'S FIRST SET OF DATA REQUESTS TO
GLOBAL INTERNETWORKING, INC. ("GLOBAL")
Docket T-04105A-05-0810**

March 8, 2006

STF 2.3 Regarding the following statement in Westel's DR1 response dated March 14, 2005, please explain who at the Commission decided to hold the bond pending refiling?

"The Commission has held the bond pending refiling by the company. In the meanwhile, the company has retained its customers and has been working on its new application and tariff, which is the filing in this docket."

The original \$10,000.00 bond was filed with the Docket Control Center at the Arizona Corporation Commission. The company letter was dated July 12, 2004 and was stamped by the Arizona Corporation Commission Document Control on July 13, 2004. This bond was not returned to the company or its regulatory agent. It was filed along with 13 copies of the initial Interexchange Telecommunications tariff, Arizona Tariff No. 1 pursuant to Commission Order in Docket No. T-002694A-96-0348, Decision 65459.

STF 2.4 On what date did Westel initiate service in Arizona?

The company began operating in 4th quarter 1989.

STF 2.5 Please provide an Income Statement and Balance Sheets for End-of-Year 2004.

Please see attached.

MEMORANDUM

TO: Monique Byrnes, Consultant
Technologies Management Inc.

FROM: John Bostwick
Arizona Corporation Commission

DATE: July 20, 2004

RE: Westel, Inc.
Docket No. T-02694A-96-0348 Decision No. 65459

I received a copy of a tariff and a performance bond from the Manager of Compliance and Enforcement. The tariff and performance bond filing was submitted by Westel, Inc. on July 13, 2004.

I have been requested by the Manager of Compliance and Enforcement to evaluate the filing of Westel's tariff and performance bond to determine whether it complies with the Order in Decision No. 65459 dated December 20, 2002.

With respect to the performance bond requirement, I reviewed Decision No. 65459. According to Decision No. 65459, Westel's Certificate is conditioned upon Westel procuring a performance bond and filing proof of that performance bond within 365 days of the Order in the matter, or 30 days prior to providing service, whichever comes first, in accordance with the Decision. If Westel, Inc. fails to meet the timeframe, the Certificate shall become null and void without further Order of the Commission.

Westel's performance bond should have been filed no later than December 20, 2003. Since the performance bond was filed 206 days late, Westel's certificate in Arizona is "null and void without further Order of the Commission." Westel appears not to be in compliance with Decision No. 65459.

Should Westel decide that it wants provide telecommunications services in Arizona, it will have to make an Application for a Certificate of Convenience and Necessity ("CC&N"). You can access the Commission's Website to apply for a CC&N at the following: www.cc.state.az.us/utility/telecom/forms. Without a valid CC&N, there appears to be no need to review Westel's tariff.

If you have any questions or concerns, please contact me at (602) 542-0856. Thank you.

Westel, Inc.
Balance Sheet
December 31, 2004

Assets

Cash	\$ 4,453,814	
Accounts Receivable (net reserve)	\$ 10,230,501	
Other Current Assets	\$ 50,053	
Total Current Assets		\$ 14,734,368
Fixed Assets (net depreciation)	\$ 79,562	
Advances to Affiliate	\$ 4,366,259	
Other Assets	\$ 675,117	
Total Long Term Assets		\$ 5,120,938
Total Assets		<u>\$ 19,855,306</u>

Liabilities & Stockholders Equity

Accounts Payable	\$ 1,253,099	
Other Current Liabilities	\$ 593,390	
Total Current Liabilities		\$ 1,846,489
Other Long Term Liabilities	\$ 7,042,920	
Advances from Affiliate	\$ 8,585,042	
Total Other Liabilities		\$ 15,627,962
Stockholders Equity		
Common Stock	\$ 10,000	
Additional Paid in Capital	\$ 4,000	
Retained Earnings	\$ 2,366,855	
Total Stockholders Equity		\$ 2,380,855
Total Liabilities and Stockholders Equity		<u>\$ 19,855,306</u>

Westel, Inc.
Income Statement
December 31, 2004

Total Sales and Revenue	\$ 15,598,084	
Cost of Goods Sold	<u>\$ 8,763,071</u>	
Contribution Margin		\$ 6,835,013
Total Operating Expenses	<u>\$ 6,937,000</u>	
Income (Loss) from Primary Operations		\$ (101,987)
Depreciation	\$ 61,224	
Other Revenue (Expenses)	<u>\$ 174,814</u>	
Net Income (Loss)		<u><u>\$ 11,603</u></u>