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BEFORE THE ARIZONA CORPORATION COMMISSION

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3 **WILLIAM A. MUNDELL**
4 **CHAIRMAN**
5 **JIM IRVIN**
6 **COMMISSIONER**
7 **MARC SPITZER**
8 **COMMISSIONER**

Arizona Corporation Commission

DOCKETED

AUG 09 2001

AZ CORP COMMISSION
DOCKET CONTROL

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9 IN THE MATTER OF THE APPLICATION AND) DOCKET NO. T-03887A-00-0386
10 PETITION OF ALLTEL COMMUNICATIONS,)
11 INC. FOR A CERTIFICATE OF CONVENIENCE)
12 AND NECESSITY TO PROVIDE COMPETITIVE) **MOTION TO WITHDRAW**
13 INTRASTATE TOLL TELECOMMUNICATIONS) **(AMENDED) APPLICATION AND**
14 SERVICES AS A RESELLER) **PETITION FOR CERTIFICATE OF**
15) **CONVENIENCE AND NECESSITY**
16) **TO PROVIDE INTRASTATE**
17) **TELECOMMUNICATION**
18) **SERVICES AS AN**
19) **INTEREXCHANGE RESELLER**

20 ALLTEL Communications, Inc. ("ACI"), by and through undersigned counsel,
21 hereby moves to withdraw its "(Amended) Application and Petition for Certificate of
22 Convenience and Necessity to Provide Intrastate Telecommunication Services as an
23 Interexchange Reseller" (hereinafter, the "Application"), that was filed with the Arizona
Corporation Commission (the "Commission") on June 2, 2000. In support of this Motion,
ACI states, as follows:

On June 2, 2000, ACI filed the Application, seeking (i) a Certificate of Convenience
and Necessity ("CC&N ") to provide resold interexchange services within the State of

1 Arizona and (ii) authorization to classify its intrastate interexchange services as
2 competitive.

3 The Application is currently pending before the Commission.

4 On October 30, 2000, in Docket No. T-03285A-00-0874, ALLTEL Corporation
5 (“ALLTEL”), ACI, and 360° Long Distance, Inc. (“360°”) (collectively, the “ALLTEL
6 Applicants”) filed with the Commission (a) a Joint Application for Commission approval of
7 the transfer from 360° to ACI of certain assets held by 360° (hereinafter, the “Merger”),
8 including 360°’s Certificate of Convenience and Necessity (the “360° CC&”); (b) written
9 notice of the restructure of a public utility holding company; and (c) a request for a limited
10 waiver of compliance with the affiliate interest rules, A.A.C. R14-2-801, et seq.
11 (hereinafter, the “Joint Application”).
12

13 On December 4, 2000, the ALLTEL Applicants filed an amendment to the Joint
14 Application.

15 The 360° CC&N authorizes 360° to provide competitive intrastate long-distance
16 service as a reseller in Arizona. The Commission granted the 360° CC&N on February 1,
17 2000, in Commission Decision No. 62280.

18 The ALLTEL Applicants informed the Commission that if the Joint Application is
19 approved and the 360° CC&N is transferred to ACI, then ACI would operate under the
20 360° CC&N . As a result, ACI agreed that it would no longer need to seek approval of the
21 separate CC&N , and ACI would withdraw the Application.
22
23

ROSKA HEYMAN & DEWULF, PLC

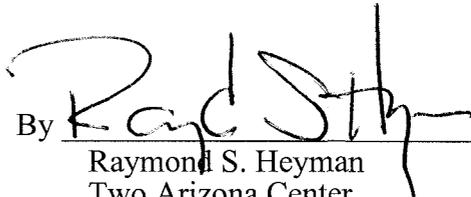
TWO ARIZONA CENTER
400 NORTH 5TH STREET - SUITE 1000
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 On August 6, 2001, the Commission issued Decision No. 63937 approving the
2 Merger, finding that the transfer of 360°'s assets and the 360° CC&N from 360° to ACI is
3 in the public interest, ordering that the Joint Application be approved, and ordering that
4 ACI withdraw the Application within thirty (30) days of the effective date of the Decision.

5 Accordingly, ACI hereby withdraws its Application and requests that the
6 Commission issue an order formally closing this docket.

7 RESPECTFULLY SUBMITTED this 9th day of August, 2001.

9 **ROSHKA HEYMAN & DEWULF, PLC**

10 By 
11 Raymond S. Heyman
12 Two Arizona Center
13 400 North 5th Street, Suite 1000
14 Phoenix, Arizona 85004

15 Attorneys for ALLTEL Communications, Inc.

16 **ORIGINAL and TEN (10) COPIES** of the
17 foregoing filed this 9th day of August, 2001, with:

18 Docket Control
19 ARIZONA CORPORATION COMMISSION
20 1200 West Washington Street
21 Phoenix, Arizona 85007

22 **COPIES of the foregoing hand-delivered**
23 **this 9th day of August, 2001, to:**

Teena Wolfe, Esq.
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

ROSHKA HEYMAN & DEWULF, PLC

TWO ARIZONA CENTER
400 NORTH 5TH STREET - SUITE 1000
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 Steve Olea
Acting Director, Utilities Division
2 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
3 Phoenix, Arizona 85007

4 **COPY of the foregoing mailed**
5 **this 9th day of August, 2001, to:**

6 Timothy Berg, Esq.
FENNEMORE CRAIG, P.C.
7 3003 N. Central Avenue, Suit 2600
Phoenix, Arizona 85016

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